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REGULATE THE TRANSPORTATION, SALE, AND
HANDLING OF DOGS AND CATS USED FOR
RESEARCH AND EXPERIMENTATION

HEARINGS
BEFORE THE
SUBCOMMITTEE ON LIVESTOCK AND
FEED GRAINS
OF THE
COMMITTEE ON AGRICULTURE
HOUSE OF REPRESENTATIVES
EIGHTY-NINTH CONGRESS
SECOND SESSION

ON

H.R. 9743, H.R. 9750, H.R. 9869, H.R. 9875, H.R. 10197, H.R. 10358,
H.R. 10680, H.R. 10743, H.R. 10745, H.R. 11002, H.R. 11195, H.R. 11505,
H.R. 12295, H.R. 12488, H.R. 12667, H.R. 12842, H.R. 12903, H.R. 12923,
H.R. 12941, H.R. 12962, H.R. 13017, H.R. 13075, H.R. 13240, H.R. 13261,
H.R. 13287, H.R. 13291, H.R. 13321, H.R. 13343, H.R. 13346, H.R. 13352,
and H.R. 13406

MARCH 7 AND 8, 1966

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CONTENTS

CATALOGING - PREP.

H.R. 9743, a bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes.....	Page 4
H.R. 10743, a bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and other animals intended to be used for purposes of research or experimentation, and for other purposes.....	5
H.R. 12488, a bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and other animals intended to be used for purposes of research or experimentation, and for other purposes.....	1
H.R. 13321, a bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and other animals intended to be used for purposes of research or experimentation, and for other purposes.....	7
H.R. 13406, a bill to authorize the Secretary of Agriculture to regulate the transportation, purchase, sale, and handling of dogs and cats in commerce.....	9
Statement of—	
Allen, Mrs. Bettijane, Animal Legal Protection Association of Virginia.....	66
American Medical Association.....	206
American Public Health Association.....	209
American Veterinary Medical Association.....	117
Amory, Cleveland, director, Humane Society of the United States.....	82
Anchel, Marjorie, senior research associate, New York Botanical Garden.....	25
Baltes, Dr. Bernard, director of biological sciences, Riker Laboratories, Inc.....	184
Bemelmans, Madeleine, president, Society for Animal Protective Legislation.....	211
Berson, Robert C., Association of American Medical Colleges.....	208
Boland, Hon. Edward P., a Representative in Congress from the State of Massachusetts.....	194
Booker, Dr. F., Howard University.....	186
Brewer, Dr. N. R., University of Chicago.....	115
Brisk, Faye, director, Animal Rescue League of Berks County, Pa.....	39
Bryan, James, American Federation for Clinical Research.....	124
Bullock, Dr. Lewis T., Los Angeles, Calif.....	112
Burrows, Dr. Leslie R., assistant secretary, Council on Dental Research, American Dental Association.....	131
Buttrick, Dr. Carlton E., director and chairman, American Humane Association's Committee on Laboratory Animal Care.....	150
Cahill, Hon. William T., a Representative in Congress from the State of New Jersey.....	195
Cramer, Hon. William C., a Representative in Congress from the State of Florida.....	196
Dennis, Dr. Clarence, chairman, Department of Surgery, State University of New York Downstate Medical School.....	111
Dieterich, William H., D.V.M., Hazleton Laboratories, Inc.....	183
Dunn, Mrs. Peyton Hawes, WARDS, Washington, D.C.....	129
Dyce, Dorothy, Animal Welfare Institute.....	165
Entner, Nathan, Ph. D., associate professor in preventive medicine, New York University Medical Center.....	25
Evans, Oliver, president, Humane Society of the United States.....	29

Statement of—Continued

Fino, Hon. Paul A., a Representative in Congress from the State of New York	Page 197
Foster, Clarence B., M.D., Southern Pines, N.C.	211
Goekjian, K. K., D.V.M., Shaker Heights Veterinary Hospital	26
Gardner, Mrs. Henry A., vice president, Montgomery County (Md.) Humane Society	155
Grabowski, Hon. Bernard F., a Representative in Congress from the State of Connecticut	17
Greenbaum, Dr. Lowell M., president, New York State Society for Medical Research	64
Grider, Hon. George, a Representative in Congress from the State of Tennessee	12
Harmel, Gary, D.V.M., David W. Francis, D.V.M., and H. Carlton Newman, D.V.M.	158
Harrison, William B., on behalf of United Health Foundations, Inc.	101
Havel, Richard J., M.D., president, American Federation for Clinical Research	125
Helstoski, Hon. Henry, a Representative in Congress from the State of New Jersey	178
Hobbs, Dr. Charles S., president, American Society of Animal Science	34
Hogan, Declan, field representative, Humane Society of the United States	88
Hunter, Mrs. Ann Gough, Dallas, Tex.	74
Iowa State University, research sections of the Animal Science Department	18
Jardine, Dr. John H., assistant professor, veterinary medicine, University of Texas	75
Jones, George W., assistant director, Massachusetts Society for the Prevention of Cruelty to Animals	172
Jones, Helen, president, National Catholic Society for Animal Welfare	136
Justice, Thomas C., general manager, Humane Society of the City of Columbus	149
Kredovski, Michael, Lone Trail Kennels	190
Kubicek, Dr. William G., Minnesota Citizens Committee for Health and Research	59
Lehnhoff, Dr. Hannelore, physician and member, Humane Education Society	43
Long, Hon. Clarence D., a Representative in Congress from the State of Maryland	198
Maloney, William T., executive secretary, Laboratory Animal Breeders Association	84
Maryland State Veterinary Medical Association	212
Mayer, Ralph, Minneapolis, Minn.	121
McCarthy, Hon. Richard D., a Representative in Congress from the State of New York	199
McCoy, Dr. John, doctor of veterinary medicine and research specialist, bureau of biological research, College of Arts and Sciences, Rutgers State University of New Jersey	123
McMahon, Frank J., director of field services, Humane Society of the United States	85
McNamee, Hugh A., Cleveland, Ohio	128
McQuarrie, Donald G., M.D., Ph.D., director, experimental surgery, Veterans' Administration hospital, in reply to testimony given by Mr. Ralph Mayer	54
Miller, Dr. Frank N., professor of pathology, George Washington University School of Medicine	73
Mink, Hon. Patsy T., a Representative in Congress from the State of Hawaii	202
Monclova, Anita T., founder and director, National Pet Registry	213
Moorhead, Hon. William S., a Representative in Congress from the State of Pennsylvania	202
Morgan, Jo V., director, Montgomery County (Md.) Humane Society	153

Statement of—Continued

Morse, Hon. F. Bradford, a Representative in Congress from the State of Massachusetts-----	Page 203
Nelsen, Hon. Ancher, a Representative in Congress from the State of Minnesota-----	173
Orlans, Dr. F. Barbara-----	26
Pearce, Dr. Richard G., Southfield, Mich-----	137
Phillips, R. T., executive director, American Humane Association----	141
Pirnie, Hon. Alexander, a Representative in Congress from the State of New York-----	203
Powell, Thomas E., Jr., president, Carolina Biological Supply Co----	189
Putney, Dr. William, representing the Medical Research Association of California-----	181
Reid, Hon. Charlotte T., a Representative in Congress from the State of Illinois-----	205
Reid, Hon. Ogden R., a Representative in Congress from the State of New York-----	15
Resnick, Hon. Joseph Y., a Representative in Congress from the State of New York-----	27
Rich, Dr. Sigmund T., Los Angeles, Calif-----	103
Schneider, Dr. Howard A., member, Institute for Biomedical Research, Education, and Research Foundation of the American Medical Association-----	78
Shaffer, J. J., managing director, Anticruelty Society-----	151
Shannahan, Mrs. William E., president, Talbot County Humane Society, Inc-----	155
Shapiro, Mrs. Betty, chairman, Los Angeles County Health Commission-----	182
Sichel, Jacques, Union Township, N.J-----	193
Sloan, H. J., director, Minnesota Agricultural Experiment Station---	173
Smith, Thomas S., chief, investigation division, Maryland State Police-----	32
Sperling, Dr. Frederick, associate professor of pharmacology, Howard University Medical School-----	187
Stevens, Christabel, New York, N.Y-----	215
Stevens, Christine, representing Animal Welfare Institute, and the Society for Animal Protective Legislation-----	19
Sussman, Dr. Oscar, chief, Bureau of Veterinary Public Health, New Jersey State Department of Health-----	158
Sweeney, Hon. Robert E., a Representative in Congress from the State of Ohio-----	125
Taussig, Dr. Helen B., president, American Heart Association-----	68
Tenzer, Hon. Herbert, a Representative in Congress from the State of New York-----	205
Thorp, Elizabeth Simonsen, Simonsen Laboratories, representing the Laboratory Animal Breeders Association-----	61
Timrud, Dr. David H., university psychiatrist, Princeton University-	36
Trum, Dr. Bernard, director, Animal Research Center, Harvard Medical School-----	134
Twyne, Mrs. Pearl, president, Virginia Federation of Humane Societies-----	157
Visscher, Dr. Maurice B., president, National Society for Medical Research-----	44
Webster, Mrs. Fenby, executive secretary, Wayside Waifs-----	86
Wert, Hazel, executive director, Animal Rescue League of Berks County, Pa-----	86
Wolff, Hon. Lester L., a Representative in Congress from the State of New York-----	175
Wolman, Irving J., M.D., professor of pediatrics, University of Pennsylvania-----	81
Wood, Dr. Sumner, Jr., associate professor of pathology, Johns Hopkins University, School of Medicine-----	176
Zimmermann, Dr. Bernard, professor and chairman, department of surgery, West Virginia University-----	76

Correspondence submitted to the subcommittee:	Page
Adams, Mrs. Mignon J., Ashburn, Va., letter of March 9, 1966.....	224
Boving, Bent G., Department of Embryology, Carnegie Institute of Washington:	
Letter of March 2, 1966 to Congressman Friedel.....	218
Letter of March 7, 1966.....	120
Boyle, Paul E., D.M.D., Western Reserve University, School of Dentistry, letter of March 10, 1966.....	225
Brennan, Michael J., M.D., A.A.C.P., Henry Ford Hospital, letter of March 7, 1966.....	220
Brodie, Donald C., chairman, Committee on Health and Research of Northern California, letter of March 8, 1966.....	223
Burns, Mrs. Martha, secretary, Long Island Humane & Dog Protective Association, Inc., letter of March 16, 1966, to Congressman Tenzer.....	226
Butler, Alyce, Appleton, Wis., letter of September 6, 1960.....	146
Connolly, Mrs. Thomas F., Newton, Mass., letter to Miss Christine Stevens.....	24
Diehl, Harold S., M.D., American Cancer Society, Inc., letter of March 4, 1966.....	219
Finberg, Laurence, M.D., Montefiore Hospital and Medical Center, letter of March 5, 1966.....	220
Freeman, Hon. Orville L., Secretary of Agriculture, letter of March 7, 1966, report of the U.S. Department of Agriculture on H.R. 12488..	10
Fuller, William J., D.V.M., Elko Veterinary Hospital, letter of March 7, 1966.....	138
Hartjis, Hector, Combined Locks, Wis., letter of September 6, 1960..	145
Heustis, Albert E., M.D., director, Michigan Department of Health, letter of March 1, 1966.....	139
Kiernan, Paul C., M.D., Washington Clinic, letter of March 7, 1966..	171
Leash, Aaron M., D.V.M., director, animal facilities, Western Reserve University School of Medicine, letter of March 7, 1966.....	223
Mayer, Ralph A., Minneapolis, Minn., letter of March 11, 1966, to Dr. Donald G. McQuarrie.....	59
McQuarrie, Donald G., M.D., Ph. D., director, experimental surgery, Veterans' Administration hospital, letter of March, 12 1966, to Dr. Maurice Visscher.....	54
Poff, Richard H., a Representative in Congress from the State of Virginia, letter of March 4, 1966.....	17
Prosser, Dean T., Jr., executive secretary, Wyoming Stock Growers Association, letter of March 4, 1966 to, Senators Milward Simpson and Gale McGee.....	219
Resnick, Hon. Joseph Y., a Representative in Congress from the State of New York, letter of February 3, 1966, to Hon. John W. Gardner, Secretary of Health, Education, and Welfare.....	27
Rowan, E. M., director of humane work, American Society for the Prevention of Cruelty to Animals, letter of April 11, 1963, to Rutherford T. Phillips, American Humane Association.....	149
Rudnay, Margaret E., Meadville, Pa., letter to Miss Faye Brisk.....	42
Springer, Leone M., and George W. Goldner, county of Winnebago, Wis., letter of September 6, 1960.....	144
Sprows, Joseph B., chairman, executive committee, American Association of Colleges of Pharmacy, letter of March 11, 1966.....	225
Stewart, Dr. William H., Surgeon General, Public Health Service, Department of Health, Education, and Welfare, letter of February 23, 1966, to Congressman Joseph Y. Resnick.....	28
Titus, Fred J., East Stroudsburg, Pa., letter of February 3, 1966.....	42
Visscher, Dr. Maurice B., president, National Society for Medical Research, letter of March 14, 1966.....	53
Walsh, John W., M.D., Washington, D.C., letter of March 5, 1966....	171
Walsh, William B., M.D., the People-to-People Health Foundation, Inc., letter of March 7, 1966.....	171
Warthen, Laura, St. Louisville, Ohio, letter to Miss Faye Brisk.....	41
Whitlock, Mr. and Mrs. W. R., Pottstown, Pa., letter of March 4, 1966, to Miss Faye Brisk.....	42

Correspondence submitted to the subcommittee—Continued

Williamson, Kenneth, associate director, American Hospital Association, letter of March 17, 1966-----	Page 227
Wilson, Coyt T., director, Virginia Agricultural Experiment Station, letter of March 2, 1966, to Congressman Richard H. Poff-----	17
Wright, Phyllis, the Tail-Waggers' Club, Inc., letter of March 7, 1966-----	222
Additional information submitted to the subcommittee:	
A method to protect your dog against theft-----	38
About WARDS-----	130
Comparative, veterinary, and primate cardiovascular research—a review of research grants supported by the National Heart Institute, 1949 to 1965-----	49
Dog registry announcement-----	37
Ex-Dog Warden Is Charged With Cruelty to Animals, an article from the Buffalo Evening News, March 7, 1966-----	201
Farm for animals is raided-----	148
How Vivisection Material Is Gathered, article from the News-Record, Neenah-Menasha, Wis., March 7, 1960-----	147
Inhumanity to Animals, an article from the Buffalo Evening News, March 9, 1966-----	201
Institute of Laboratory Animal Resources-----	107
Michigan Act No. 241, an act to protect the public health and welfare; and to regulate the humane use of animals for the diagnosis and treatment of human and animal diseases, etc-----	139
Michigan regulations for the humane use of animals-----	141
Readers Say: No One Condone's Pet Stealing, an article from the Plain Dealer, February 10, 1966-----	127
Requiem to a Dog by Ilona Massey-----	228
Resolution of the Animal Welfare League of Fairfax County, Va., Inc-----	158
Stealing Pets for Profit, article from the Plain Dealer, January 31, 1966-----	126
The need for animals in medical research-----	160
Visitors and Callers Swamp SPCA, an article from the Buffalo Courier-Express, March 9, 1966-----	200

REGULATE THE TRANSPORTATION, SALE, AND HANDLING OF DOGS AND CATS USED FOR RESEARCH AND EXPERIMENTATION

MONDAY, MARCH 7, 1966

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON LIVESTOCK AND FEED GRAINS
OF THE COMMITTEE ON AGRICULTURE,
Washington, D.C.

The subcommittee met, pursuant to notice at 10 a.m., in room 1301, Longworth House Office Building, the Honorable W. R. Poage (chairman of the subcommittee) presiding.

Present: Representatives Poage, Cooley, Abbitt, Purcell, Redlin, Greigg, Callan, Quie, May, Dole, and Burton.

Also present: Christine S. Gallagher, clerk; Martha Hannah, staff; Hyde H. Murray, assistant clerk; Fowler West, staff; and John J. Heimburger, counsel.

Mr. POAGE. The committee will please come to order.

We have, as we anticipated, a large number of witnesses this morning, and in order to move along and in order to hear those who want to be heard, it will be necessary to hear them without delay, and I think, without objection, we will hear the witnesses without any questions from the members until we have heard all of the witnesses, and then those who are still here will be invited to engage in a roundtable.

As I say, we have a long list of witnesses, and I am going to ask you to confine yourselves to 5 minutes. We will try to enforce that rule.

We have a list of the authors of the bills here, and the first one, I notice, is Mr. Long of Maryland.

I do not see him here.

Congressman Grider is with us, and we will be glad to start with you.

(Following is H.R. 12488, introduced by Mr. Poage. Similar bills to this one are H.R. 12667 by Mrs. May, H.R. 12962 by Mr. Bell, H.R. 13017 by Mrs. Dwyer, H.R. 13075 by Mr. McDade, and H.R. 13261 by Mr. Pirnie.)

[H.R. 12488, 89th Cong., 2d sess.]

A BILL To authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and other animals intended to be used for purposes of research or experimentation, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to protect the owners of dogs and cats and other animals from theft of such pets and to prevent the sale or use of stolen dogs and cats and other animals for purposes of research and experimentation, it is essential to regulate the transportation, purchase, sale, or

handling of dogs, cats, and other animals by persons or organizations engaged in using them for research or experimental purposes or in transporting, buying, or selling them for such use.

SEC. 2. When used in this Act—

(a) The term “person” includes any individual, partnership, association, or corporation.

(b) The term “Secretary” means the Secretary of Agriculture.

(c) The term “commerce” means commerce between any State, territory, or possession, or the District of Columbia, or Puerto Rico, and any place outside thereof; or between points within the same State, territory, or possession, or the District of Columbia, but through any place outside thereof; or within any territory or possession or the District of Columbia.

(d) The term “dog” means any live dog of the species (*Canis familiaris*) for use or intended to be used for research, tests, or experiments at research facilities.

(e) The term “cat” means any live domestic cat (*Felis catus*) for use or intended to be used for research, tests, or experiments at research facilities.

(f) The term “animal” means any vertebrate animal for use or intended to be used for research, tests, or experiments at research facilities.

(g) The term “research facility” means any school, institution, organization, or person that uses or intends to use dogs, cats, or other animals in research, tests, or experiments, and that purchases or transports any such animals in commerce.

(h) The term “dealer” means any person who for compensation or profit delivers for transportation, transports, buys, or sells dogs, cats, or other animals in commerce for research purposes.

SEC. 3. It shall be unlawful for any research facility to purchase or transport dogs, cats, or other animals in commerce unless and until such research facility shall have obtained a license from the Secretary or to acquire any dog, cat, or other animal from any person except a dealer holding a valid license.

SEC. 4. It shall be unlawful for any dealer to sell or offer to sell or to transport to any research facility and dog, cat, or other animal, or to buy, sell, offer to buy or sell, transport or offer for transportation in commerce to or from another dealer under this Act any such animal, unless and until such dealer shall have obtained a license from the Secretary and such license shall not have been suspended or revoked.

SEC. 5. The Secretary is authorized to promulgate humane standards to govern the handling and transportation of dogs, cats, and other animals by dealers and research facilities, and to promote their health, well-being, and safety: *Provided, however,* That this authority shall not be construed to authorize the Secretary to set standards for the handling of these animals during the actual research or experimentation.

SEC. 6. The Secretary is hereby authorized and directed to issue licenses to research facilities and to dealers upon application therefor in such form and manner as prescribed by the Secretary and upon payment of the fee prescribed by the Secretary pursuant to section 18 of this act: *Provided,* That no such license shall be issued until the applicant shall have demonstrated that his facilities comply with the standards promulgated by the Secretary pursuant to section 5 of this Act. The Secretary is further authorized to license, as dealers, persons who do not qualify as dealers within the meaning of this Act upon such persons' complying with the requirements specified above and agreeing, in writing, to comply with all the requirements of this Act and the regulations promulgated by the Secretary hereunder.

SEC. 7. All dogs, cats, and other animals delivered for transportation, transported, purchased, or sold in commerce to any dealer or research facilities shall be marked or identified in such humane manner as the Secretary may prescribe.

SEC. 8. Research facilities and dealers shall make and keep such records with respect to their purchase, sale, transportation, and handling of dogs, cats, and other animals, as the Secretary may prescribe. Such records shall be kept open at all reasonable times to inspection by the Secretary or any person duly authorized by him.

SEC. 9. The Secretary is authorized to cooperate with the officials of the various States or political subdivisions thereof in effectuating the purposes of this Act and of any State, local, or municipal legislation or ordinance on the same subject.

SEC. 10. No dealer shall sell or otherwise dispose of any dog or cat within a period of five business days after the acquisition of such animal or within such other period as may be specified by the Secretary.

SEC. 11. The Secretary is authorized to promulgate such rules, regulations, and orders as he may deem necessary in order to effectuate the purposes of this Act.

SEC. 12. (a) If the Secretary has reason to believe that any research facility has violated or is violating any provision of this Act or any of the rules or regulations promulgated by the Secretary hereunder, the Secretary, after notice and opportunity for hearing, may make an order that such research facility shall cease and desist from continuing such violation. If the Secretary determines that such violation was willful, he shall also prepare a report in writing in which he shall state his findings as to the facts and shall certify such report to each agency of the Federal Government furnishing funds to such research facility to finance research, tests, or experiments involving the use of dogs, cats, or other animals with a recommendation that such funds be withdrawn for such period as the Secretary may specify, and each such agency so notified shall suspend all such payments, loans, or grants to such research facility, all other laws or parts of law notwithstanding.

(b) If the Secretary has reason to believe that any person licensed as a dealer has violated or is violating any provision of this Act or any of the rules or regulations promulgated by the Secretary hereunder, the Secretary may suspend such person's license temporarily, but not to exceed twenty-one days, and, after notice and opportunity for hearing, may suspend for such additional period as he may specify, or revoke, such license if such violation is determined to have occurred and may make an order that such person shall cease and desist from continuing such violation.

(c) Any research facility, dealer, or other person aggrieved by a final order of the Secretary issued pursuant to subdivisions (a) and (b) of this section may, within sixty days after entry of such order, file a petition to review such order in the United States court of appeals for the judicial circuit in which the party or any of the parties filing the petition for review resides or has its principal office, or in the United States Court of Appeals for the District of Columbia. Upon the filing and service of a petition to review, the court of appeals shall have jurisdiction of the proceeding. For the purposes of this Act, the provisions of chapter 19A (Hobbs Act) of title 5, United States Code, shall be applicable to appeals pursuant to this section.

SEC. 13. When construing or enforcing the provisions of this Act, the act, omission, or failure of any individual acting for or employed by a research facility or a dealer, or a person licensed as a dealer pursuant to the second sentence of section 6, within the scope of his employment or office, shall be deemed the act, omission, or failure of such research facility, dealer, or other person as well as of such individual.

SEC. 14. Any research facility or dealer who operates without a license from the Secretary issued pursuant to this Act or while such license is suspended or revoked, and any research facility, dealer, or person licensed as a dealer pursuant to the second sentence of section 6 who knowingly fails to obey a cease-and-desist order made by the Secretary under the provisions of section 13 of this Act shall forfeit to the United States the sum of \$500 for each offense. Such forfeiture shall be recoverable in a civil suit in the name of the United States. It shall be the duty of the various United States attorneys, under the direction of the Attorney General, to bring suit for the recovery of forfeitures.

SEC. 15. Whenever it shall appear to the Secretary that any person has engaged, is engaging, or is about to engage in any act or practice constituting a violation of any provision of this Act, or any rule, regulation, or order thereunder, the Secretary may notify the Attorney General, and the Attorney General may bring an action in the proper district court of the United States or the proper United States court of any territory or other place subject to the jurisdiction of the United States, to enjoin such act or practice and to enforce compliance with this Act, or any rule, regulation, or order thereunder, and said courts shall have jurisdiction to entertain such actions. Any action under this section may be brought in the district wherein the defendant is found or is an inhabitant or transacts business or in the district where the act of practice in question occurred or is about to occur, and process in such cases may be served in any district where the defendant may be found.

SEC. 16. If any provision of this Act of the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this Act and the application of any such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 17. In order to finance the administration of this Act, the Secretary shall charge, assess, and cause to be collected reasonable fees for licenses issued. All such fees shall be deposited in a fund which shall be available without fiscal year limitation for use in administering the provisions of this Act together with such funds as may be appropriated thereto and there is hereby authorized to be appropriated such funds as Congress may from time to time provide.

SEC. 18. This Act shall take effect one hundred and twenty days after enactment.

(Following is H.R. 9743, introduced by Mr. Resnick. Similar bills to this one are H.R. 9750 by Mr. Pepper, H.R. 9869 by Mr. Helstoski, H.R. 9875 by Mr. Wolff, H.R. 10197 by Mr. Joelson, H.R. 10358 by Mr. Minish, H.R. 10680 by Mr. Morse, H.R. 10745 by Mr. Matsunaga, H.R. 11002 by Mr. Fino, H.R. 11195 by Mr. Shipley, H.R. 11505 by Mr. Grider, H.R. 12295 by Mr. Long of Maryland, H.R. 12903 by Mr. Minshall, H.R. 12923 by Mr. Cramer, H.R. 13240 by Mr. Foley, H.R. 13291 by Mr. Horton, and H.R. 13352 by Mr. Rodino.)

[H.R. 9743, 89th Cong., 1st sess.]

A BILL To authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to protect the owners of dogs and cats from theft of such pets and to prevent the sale or use of stolen dogs and cats for purposes of research and experimentation, it is essential to regulate the transportation, purchase, sale, and handling of dogs and cats by persons or organizations engaged in using them for research or experimental purposes or in transporting, buying, or selling them for such use.

SEC. 2. DEFINITIONS.—When used in this Act—

(a) The term “person” includes any individual, partnership, association, or corporation.

(b) The term “Secretary” means the Secretary of Agriculture.

(c) The term “commerce” means commerce between any State, territory, or possession, or the District of Columbia or Puerto Rico, and any place outside thereof; or between points within the same State, territory, or possession, or the District of Columbia, but through any place outside thereof; or within any territory or possession or the District of Columbia.

(d) The term “cat” means any live domestic cat (*Felis catus*) for use or intended to be used for research, tests, or experiments at research facilities.

(e) The term “dog” means any live dog of the species *Canis familiaris* for use or intended to be used for research tests or experiments at research facilities.

(f) The term “research facility” means any school, institution, organization, or person that uses or intends to use dogs or cats in research, tests, or experiments, and that (1) purchases or transports such animals or certain of such animals in commerce or (2) receives any funds from the United States or any agency or instrumentality thereof to finance its operations by means of grants, loans, or otherwise.

(g) The term “dealer” means any person who for compensation or profit delivers for transportation, transports, boards, buys, or sells dogs or cats in commerce for research purposes.

SEC. 3. It shall be unlawful for any research facility to purchase or transport dogs or cats in commerce unless and until such research facility shall have obtained a license from the Secretary in accordance with such rules and regulations as the Secretary may prescribe pursuant to this Act.

SEC. 4. It shall be unlawful for any dealer to sell or offer to sell or to transport to any research facility any dog or cat, or to buy, sell, offer to buy or sell, transport or offer for transportation in commerce or to another dealer under this

Act any such animal, unless and until such dealer shall have obtained a license from the Secretary in accordance with such rules and regulations as the Secretary may prescribe pursuant to this Act, and such license shall not have been suspended or revoked.

SEC. 5. The Secretary is authorized to promulgate standards to govern the handling and transportation of dogs and cats by dealers and research facilities, to promote their health, well-being, and safety: *Provided, however,* That this authority shall not be construed to authorize the Secretary to set standards for the handling of these animals during the actual research or experimentation.

SEC. 6. All dogs and cats delivered for transportation, transported, purchased, or sold in commerce or to research facilities shall be marked or identified in such manner as the Secretary may prescribe.

SEC. 7. Research facilities and dealers shall make and keep such records with respect to their purchase, sale, transportation, and handling of dogs and cats, as the Secretary may prescribe.

SEC. 8. The Secretary shall take such action as he may deem appropriate to encourage the various States of the United States to adopt such laws and to take such action as will promote and effectuate the purposes of this Act and the Secretary is authorized to cooperate with the officials of the various States in effectuating the purposes of this Act and any State legislation on the same subject.

SEC. 9. No dealer shall sell or otherwise dispose of any dog or cat within a period of five business days after the acquisition of such animal.

SEC. 10. Dogs and cats shall not be offered for sale or sold in commerce or to a research facility at public auction or by weight; or purchased in commerce or by a research facility at public auction or by weight. No research facility shall purchase any dogs or cats except from a licensed dealer.

SEC. 11. The Secretary is authorized to promulgate such rules, regulations, and orders as he may deem necessary in order to effectuate the purposes of this Act.

SEC. 12. Any person who violates any provision of this Act shall, on conviction thereof, be subject to imprisonment for not more than one year or a fine of not more than \$10,000.

SEC. 13. When construing or enforcing the provisions of this Act, the act, omission, or failure of any individual acting for or employed by a research facility or a dealer within the scope of his employment or office shall be deemed the act, omission, or failure of such research facility or dealer as well as of such individual.

SEC. 14. If the Secretary has reason to believe that a dealer has violated any provision of this Act or the regulations promulgated thereunder, the Secretary may suspend such dealer's license temporarily, and, after notice and opportunity for hearing, may revoke such license if such violation is determined to have occurred.

SEC. 15. If any provision of this Act or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this Act and the application of any such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 16. In order to finance the administration of this Act, the Secretary shall charge, assess, and cause to be collected reasonable fees for licenses issued to research facilities and dealers. All such fees shall be deposited and covered into the Treasury as miscellaneous receipts.

SEC. 17. EFFECTIVE DATE.—This Act shall take effect one hundred and twenty days after enactment.

(Following is H.R. 10743, introduced by Mr. Helstoski. Similar bills to this one are H.R. 12842 by Mr. McCarthy, H.R. 12941 by Mr. Cahill, H.R. 13287 by Mr. Sweeney, H.R. 13343 by Mr. Brown of California, and H.R. 13346 by Mrs. Bolton.)

[H.R. 10743, 89th Cong., 1st sess.]

A BILL To authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and other animals intended to be used for purposes of research or experimentation, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to protect the owners of dogs, cats, and other animals from theft of such pets and to prevent the sale or use of stolen dogs, cats, or other animals for purposes of research and experimenta-

tion, it is essential to regulate the transportation, purchase, sale, and handling of dogs, cats, and other animals by persons or organizations engaged in transporting, buying, or selling them for use in research or experimental purposes.

SEC. 2. As used in this Act—

(a) The term "person" includes any individual, partnership, association, or corporation;

(b) The term "Secretary" means the Secretary of Agriculture;

(c) The term "commerce" means commerce between any State, territory, or possession, or the District of Columbia or Puerto Rico, and any place outside thereof; or between points within the same State, territory, or possession, or the District of Columbia, but through any place outside thereof; or within any territory or possession or the District of Columbia.

(d) The term "dog" means any live dogs of the species *Canis familiaris* for use or intended to be used for research tests or experiments at research facilities.

(e) The term "cat" means any live domestic cat (*Felis catus*) for use or intended to be used for research, tests, or experiments at research facilities.

(f) The term "animal" means any vertebrate animal.

(g) The term "research facility" means any school, institution, organization, or person that uses or intends to use dogs, cats, or other animals in research, tests, or experiments, and that (1) purchases or transports such animals or certain of such animals in commerce or (2) receives any funds from the United States or any agency or instrumentality thereof to finance its operations by means of grants, loans, or otherwise.

(h) The term "dealer" means any person who for compensation or profit delivers for transportation, transports, boards, buys, or sells dogs, cats, or other animals in commerce for research purposes.

SEC. 3. It shall be unlawful for any research facility to purchase or transport dogs, cats, or other animals in commerce except from a dealer licensed in accordance with this Act.

SEC. 4. It shall be unlawful for any dealer to sell or offer to sell or to transport to any research facility any dog, cat, or other animal to buy, sell, offer to buy or sell, transport or offer for transportation in commerce or to another dealer under this Act any such animal, unless and until such dealer shall have obtained a license from the Secretary in accordance with such rules and regulations as the Secretary may prescribe pursuant to this Act, and such license shall not have been suspended or revoked.

SEC. 5. The Secretary shall promulgate standards for the humane care of animals by dealers. The term "humane care" shall mean the type of care which a responsible and conscientious owner would ordinarily provide for an animal kept as a household pet to prevent the animal's suffering, sickness, injury, or other discomfort and shall include but not be limited to housing, feeding, watering, handling, sanitation, ventilation, shelter from extremes of weather and temperature, and separation by species, sex, and temperament both in the dealer's facility and in transportation. The sale, offer to buy or sell, transport or offer for transportation in commerce or to another dealer of any sick, injured, unweaned, or pregnant animal is expressly forbidden.

SEC. 6. All dogs and cats delivered for transportation, transported, purchased, or sold in commerce or to research facilities shall be identified by a photograph or by such other humane and painless manner as the Secretary may prescribe.

SEC. 7. Research facilities and dealers shall make and keep for a period of no less than two years such records with respect to their purchase, sale, transportation, and handling of dogs, cats, and other animals, as the Secretary may prescribe. Such records shall include a bill of sale for each animal and any collars, tags, or other identifying equipment which accompanied the animals at the time of their acquisition by the dealer. The bill of sale shall contain such information as shall be prescribed by the Secretary. Any bill of sale which is fraudulent or indicates larceny of any animal shall be grounds for prosecution and revocation of license called for in section 14 and for the penalty called for in section 12. Records made and kept by research facilities shall be open to inspection by representatives of the Secretary or to any police officer or agent of any legally constituted law enforcement agency.

SEC. 8. The Secretary shall take such action as he may deem appropriate to encourage the various States of the United States to adopt such laws and to take such action as will promote and effectuate the purposes of this Act and the Secretary is authorized to cooperate with the officials of the various States in effectuating the purposes of this Act and any State legislation on the same subject.

SEC. 9. No dealer shall sell or otherwise dispose of any dog, cat, or other animal within a period of five business days after the acquisition of such animals. Representatives of the Secretary, any police officer or agent of any legally constituted law enforcement agency shall assist any owner of any animal who has reason to believe the animal may be in the possession of a dealer in searching the dealer's premises, after obtaining the proper search warrant from the local authorities in whose jurisdiction the dealer's premises are located.

SEC. 10. Dogs, cats, and other animals shall not be offered for sale or sold in commerce or to a research facility at public auction or by weight; or purchased in commerce or by a research facility at public auction or by weight. No research facility shall purchase any animals except from a licensed dealer.

SEC. 11. The Secretary is authorized and directed to promulgate such rules, regulations and orders as he may deem necessary in order to require compliance with the standards for the humane care of animals called for in section 5 and all other purposes and provisions of this Act. Such rules, regulations, and orders shall be published within a reasonable time after enactment of this Act.

(a) Representatives of the Secretary shall inspect dealer's facilities no less than six times a year to determine whether the standards and other provisions of this Act are being complied with. The Secretary shall also require the regular inspection of transportation of animals by and from dealers to research facilities and may delegate that responsibility to law enforcement officers of the States or to agents of any legally constituted law enforcement agencies.

SEC. 12. Any person who violates any provision of this Act shall, on conviction thereof, be subject to imprisonment for not more than one year or a fine of not more than \$10,000 and to revocation of the license described in section 4 and shall not be eligible for another license under this Act. The penalty created by this section shall be recovered by civil action in the name of the United States in the circuit or district court within the district where the violation may have been committed or the person or corporation resides or carries on business; and it shall be the duty of the United States attorneys to prosecute all violations of this Act reported by the Secretary, or which come to their notice or knowledge by other means.

SEC. 13. When construing or enforcing the provisions of this Act, the act, omission, or failure of any individual acting for or employed by a research facility or a dealer within the scope of his employment or office shall be deemed the act, omission, or failure of such research facility or dealer as well as of such individual.

SEC. 14. If the Secretary has reason to believe that a dealer has violated any provision of this Act or the regulations promulgated thereunder, the Secretary shall suspend such dealer's license temporarily, and, after notice and opportunity for hearing, shall revoke such license if such violation is determined to have occurred. The Secretary shall also suspend temporarily the license of any dealer prosecuted for cruelty under the laws of any of the States for the prevention of cruelty to animals and in the event of a conviction under any of such laws of the States, the Secretary shall revoke the dealer's license.

SEC. 15. If any provisions of this Act or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this Act and the application of any such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 16. In order to finance the administration of this Act, the Secretary shall charge, assess, and cause to be collected appropriate fees for licenses issued to dealers. All such fees shall be deposited and covered into the Treasury as miscellaneous receipts.

SEC. 17. EFFECTIVE DATE.—This Act shall take effect one hundred and twenty days after enactment.

(Following is H.R. 13321, introduced by Mr. Reid of New York:)

[H.R. 13321, 89th Cong., 2d sess.]

A BILL To authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and other animals intended to be used for purposes of research or experimentation, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to prevent the theft and maltreatment of dogs, cats, and other animals and to prevent the sale or use of stolen dogs, cats, or other animals for purposes of research and experimentation, it is essential to regulate the transportation, purchase, sale, and handling of dogs,

cats, and other animals by persons or organizations engaged in transporting, buying, or selling them for use in research or experimental purposes.

SEC. 2. As used in this Act—

(a) The term "person" includes any individual, partnership, association, or corporation.

(b) The term "Secretary" means the Secretary of Agriculture.

(c) The term "commerce" means commerce between any State, territory, or possession, or the District of Columbia or Puerto Rico, and any place outside thereof; or between points within the same State, territory, or possession, or the District of Columbia, but through any place outside thereof; or within any territory or possession or the District of Columbia.

(d) The term "dog" means any live dogs of the species *Canis familiaris* for use or intended to be used for research tests or experiments at research facilities.

(e) The term "cat" means any live domestic cat (*Felis catus*) for use or intended to be used for research, tests, or experiments at research facilities.

(f) The term "animal" means any vertebrate animal.

(g) The term "research facility" means any school, institution, organization, or person that uses or intends to use dogs, cats, or other animals in research, tests, or experiments, and that (1) purchases or transports such animals or certain of such animals in commerce or (2) receives any funds from the United States or any agency or instrumentality thereof to finance its operations by means of grants, loans, or otherwise.

(h) The term "dealer" means any person who for compensation or profit delivers for transportation, transports, boards, buys, or sells dogs, cats, or other animals in commerce for research purposes.

SEC. 3. It shall be unlawful for any research facility to purchase or transport dogs, cats, or other animals in commerce except from a dealer licensed in accordance with this Act.

SEC. 4. It shall be unlawful for any dealer to sell or offer to sell or to transport to any research facility any dog, cat, or other animal or to buy, sell, offer to buy or sell, transport or offer for transportation in commerce or to another dealer under this Act any such animal, unless and until such dealer shall have obtained a license from the Secretary in accordance with such rules and regulations as the Secretary may prescribe pursuant to this Act, and such license shall not have been suspended or revoked.

SEC. 5. (a) The Secretary shall promulgate standards for the humane care of animals by dealers. The term "humane care" shall mean the type of care which a responsible and conscientious owner would ordinarily provide for an animal kept as a household pet to prevent the animal's suffering, sickness, injury, or other discomfort and shall include but not be limited to provision for a comfortable resting place, adequate space and facilities for normal exercise, feeding, watering, handling, sanitation, ventilation, shelter from extremes of weather and temperature, and separation by species, sex, and temperament both in the dealer's facility and in transportation. The sale, offer to buy or sell, transport or offer for transportation in commerce or to another dealer of any sick, injured, unweaned, or pregnant animal is expressly forbidden.

(b) The Secretary shall appoint a panel of lawyers, deans of medical and veterinary schools, and other distinguished citizens to advise him on the promulgation of these standards.

SEC. 6. All dogs and cats delivered for transportation, transported, purchased, or sold in commerce or to research facilities shall be identified by a photograph or by such other humane and painless manner as the Secretary may prescribe.

SEC. 7. Research facilities and dealers shall make and keep for a period of no less than two years such records with respect to their purchase, sale, transportation, and handling of dogs, cats, and other animals, as the Secretary may prescribe. Such records shall include a bill of sale for each animal and any collars, tags, or other identifying equipment which accompanied the animals at the time of their acquisition by the dealer. The bill of sale shall contain such information as shall be prescribed by the Secretary. Any bill of sale which is fraudulent or indicates larceny of any animal shall be grounds for prosecution and revocation of license called for in section 14 and for the penalty called for in section 12. Records made and kept by research facilities shall be open to inspection by representatives of the Secretary or to any police officer or agent of any legally constituted law enforcement agency.

SEC. 8. The Secretary shall take such action as he may deem appropriate to encourage the various States of the United States to adopt such laws

and to take such action as will promote and effectuate the purposes of this Act and the Secretary is authorized to cooperate with the officials of the various States in effectuating the purposes of this Act and any State legislation on the same subject.

SEC. 9. No dealer shall sell or otherwise dispose of any dog, cat, or other animal within a period of five business days after the acquisition of such animals. Representatives of the Secretary, any police officer or agent of any legally constituted law enforcement agency shall assist any owner of any animal who has reason to believe the animal may be in the possession of a dealer in searching the dealer's premises, after obtaining the proper search warrant from the local authorities in whose jurisdiction the dealer's premises are located.

SEC. 10. Dogs, cats, and other animals shall not be offered for sale or sold in commerce or to a research facility at public auction or by weight; or purchased in commerce or by a research facility at public auction or by weight. No research facility shall purchase any animals except from a licensed dealer.

SEC. 11. The Secretary is authorized and directed to promulgate such rules, regulations, and orders as he may deem necessary in order to require compliance with the standards for the humane care of animals called for in section 5 and all other purposes and provisions of this Act. Such rules, regulations, and orders shall be published within a reasonable time after enactment of this Act.

(a) Representatives of the Secretary shall make adequate inspections of dealers' facilities to determine whether the standards and other provisions of this Act are being complied with. The Secretary shall also require the regular inspection of transportation of animals by and from dealers to research facilities. The Secretary may delegate these responsibilities to law enforcement officers of the States or to agents of any legally constituted law enforcement agencies.

SEC. 12. Any person who violates any provision of this Act shall, on conviction thereof, be subject to imprisonment for not more than one year and/or a fine of not more than \$5,000 and to revocation of the license described in section 4 and shall not be eligible for another license under this Act. The penalty created by this section shall be recovered by civil action in the name of the United States in the circuit or district court within the district where the violation may have been committed or the person or corporation resides or carries on business; and it shall be the duty of the United States attorneys to prosecute all violations of this Act reported by the Secretary, or which come to their notice or knowledge by other means.

SEC. 13. When construing or enforcing the provisions of this Act, the act, omission, or failure of any individual acting for or employed by a research facility or a dealer within the scope of his employment or office shall be deemed the act, omission, or failure of such research facility or dealer as well as of such individual.

SEC. 14. If the Secretary has reason to believe that a dealer has violated any provision of this Act or the regulations promulgated thereunder, the Secretary shall suspend such dealer's license temporarily, and, after notice and opportunity for hearing, shall revoke such license if such violation is determined to have occurred. The Secretary shall also suspend temporarily the license of any dealer prosecuted for cruelty under the laws of any of the States for the prevention of cruelty to animals and in the event of a conviction under any of such laws of the States, the Secretary shall revoke the dealer's license.

SEC. 15. If any provisions of this Act or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this Act and the application of any such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 16. In order to finance the administration of this Act, the Secretary shall charge, assess, and cause to be collected appropriate fees for licenses issued to dealers. All such fees shall be deposited and covered into the Treasury as miscellaneous receipts.

SEC. 17. EFFECTIVE DATE.—This Act shall take effect one hundred and twenty days after enactment.

(Following is H.R. 13406, by Mr. Nelsen:)

[H.R. 13406, 89th Cong., 2d sess.]

A BILL To authorize the Secretary of Agriculture to regulate the transportation, purchase, sale, and handling of dogs and cats in commerce

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to protect the owners of dogs

and cats from theft of such pets and to prevent the sale or use of stolen dogs and cats, it is essential to regulate the transportation, purchase, sale, or handling of dogs and cats.

SEC. 2. When used in this Act—

(a) The term "person" includes any individual, partnership, association, or corporation.

(b) The term "Secretary" means the Secretary of Agriculture.

(c) The term "commerce" means commerce between any State territory, or possession, or the District of Columbia, or Puerto Rico, and any place outside thereof; or within any territory or possession or the District of Columbia.

(d) The term "dog" means any live dog of the species (*Canis familiaris*).

(e) The term "cat" means any live domestic cat (*Felis catus*).

(f) The term "dealer" means any person who for profit, transports or buys and sells dogs and cats in commerce. Transport excludes common carriers otherwise regulated.

SEC. 3. The Secretary shall promulgate humane standards to govern the handling and transportation of dogs and cats by dealers.

SEC. 4. The Secretary is hereby authorized and directed to issue licenses to dealers upon application therefor in such form and manner as prescribed by the Secretary and upon payment of the fee prescribed by the Secretary.

SEC. 5. All dogs and cats transported or purchased and sold in commerce by any dealer shall be marked or identified, in such humane manner as the Secretary may prescribe.

SEC. 6. Dealers shall make and keep for a reasonable time as determined by the Secretary such records with respect to their purchase, sale, and transportation of dogs and cats as the Secretary may prescribe upon forms supplied by the Secretary and appropriate copies be returned to the Secretary. Such records shall be made available at all reasonable times to inspection by the Secretary or any person duly employed by him.

SEC. 7. The Secretary is authorized to cooperate with the officials of the various States or political subdivisions thereof in effectuating the purposes of this Act and of any State, local, or municipal legislation or ordinance on the same subject.

SEC. 8. The Secretary is authorized to promulgate such rules, regulations, and orders as he may deem necessary to effectuate the purposes of this Act.

SEC. 9. Any dealer who operates without a license from the Secretary issued pursuant to this Act or while such license is suspended or revoked, or who fails to obey a cease-and-desist order made by the Secretary under the provisions of this Act shall forfeit to the United States the sum of \$500 for each offense.

SEC. 10. In order to finance the administration of this Act, the Secretary shall charge, assess, and cause to be collected license fees not to exceed \$50 per year. All such fees shall be deposited in a fund which shall be available without fiscal year limitation for use in administering the provisions of this Act together with such funds as may be appropriated thereto and there is hereby authorized to be appropriated such funds as Congress may from time to time provide.

SEC. 11. This Act shall take effect one hundred and eighty days after enactment.

(The report of the U.S. Department of Agriculture on H.R. 12488 follows:)

DEPARTMENT OF AGRICULTURE,
Washington, D.C., March 7, 1966.

HON. HAROLD D. COOLEY,
Chairman, Committee on Agriculture,
House of Representatives

DEAR MR. CHAIRMAN: We wish to thank you for your letter of February 14, 1966, giving us the opportunity to report on H.R. 12488. The bill is entitled "To authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and other animals intended to be used for purposes of research or experimentation, and for other purposes."

The bill, among other things, would provide that (1) no research facility could lawfully purchase or transport dogs, cats, or other animals in commerce unless it has been licensed by the Secretary of Agriculture; (2) no dealer, as defined in the bill, could lawfully sell or offer to sell or transport to any research facility, or buy, sell, offer to buy or sell, transport or offer for transportation, in com-

merce to or from another dealer, any dog, cat, or other animal, unless he has been licensed by the Secretary of Agriculture; (3) the Secretary would be authorized to license, as dealers, on a voluntary basis, persons who do not qualify as dealers, upon such persons agreeing to comply with the requirements of the act; (4) the Secretary would be authorized to promulgate humane standards governing the handling and transportation of dogs, cats, and other animals by dealers and research facilities, exclusive of the handling of the animals during the actual research or experimentation; (5) all dogs, cats, and other animals delivered for transportation, transported, purchased or sold in commerce to any dealer or research facility shall be marked or identified in such humane manner as the Secretary may prescribe; (6) research facilities and dealers shall keep such records with respect to the purchase, sale, transportation and handling of dogs, cats, and other animals as the Secretary may prescribe which shall be kept open at all reasonable times for inspection by the Secretary or his representative; (7) the Secretary would be authorized to cooperate with officials of the various States or political subdivisions thereof in effectuating the purposes of the act; (8) no dealer shall sell or otherwise dispose of any dog, cat, or other animal within a period of 5 business days after its acquisition; (9) the Secretary, upon determining that a research facility has violated the provisions of the proposed act, may make an order requiring such research facility to cease and desist from continuing such violation and, in case of a willful violation, shall certify the facts to each agency of the Federal Government furnishing funds to such facility and recommend that funds be withdrawn for such period as the Secretary may specify, in which case each such agency so notified shall suspend all such payments, loans, or grants to such facility; (10) if the Secretary has reason to believe that there has been a violation of the act or the regulations by a person licensed as a dealer he may suspend such person's license for a period not to exceed 21 days, and after opportunity for hearing, he may suspend for an additional period or revoke such license if such violation was determined to have occurred; (11) any research facility or dealer who operates without a license, or while such license is suspended or revoked, shall forfeit to the United States the sum of \$500 for each offense, which shall be recoverable in a civil suit in the name of the United States. The proposed bill also provides for injunctive authority and that in order to finance the administration of the act the Secretary shall charge, assess, and cause to be collected reasonable fees for licenses issued. Such fees shall be deposited in a fund which shall be available without fiscal year limitation together with such funds as may be appropriated thereto.

This Department conducts various research programs related to animal production and animal diseases. In addition, it is charged with the administration of programs for the control and eradication of infectious, contagious, and communicable diseases of livestock and poultry; for the prevention of the introduction into and dissemination within the United States of such diseases; and for the prevention of the exportation of diseased livestock and poultry. It also administers laws regarding the humane slaughter and treatment of livestock.

This Department supports the objectives of H.R. 12488. We are concerned about the illicit traffic in family pets. It is our understanding that the practices which give rise to the proposed legislation relate to the theft of dogs and cats. We are not aware of any such practice existing with reference to other animals. There is serious question, therefore, as to whether it is necessary to make the bill applicable to "other animals" in order to effectuate the purposes of the bill. If the reference to "other animals" is retained, the Department believes that livestock should be excluded from the definition. The practice which the bill is intended to correct does not exist in the transporting, marketing, or sale of livestock. This Department presently administers the 28 Hour Law (45 U.S.C. 71, et seq.) which is intended to prevent, among other things, cruelty to livestock moving in interstate commerce by insuring that they are properly fed, watered, and rested. In addition, under authority of the Packers and Stockyards Act (7 U.S.C. 181, et seq.), livestock markets are regulated by this Department to insure adequate facilities for the proper handling and marketing of livestock.

There are various State laws which are applicable to the theft and humane treatment of dogs and cats. The operating methods of people who steal family pets and the commercial aspects of the purchase and transfer of dogs and cats in commerce are not areas as to which this Department has expertise. Therefore, we are unable to evaluate the effectiveness of existing State laws since the functions of this Department, insofar as animals are concerned, relate basically to livestock and poultry.

In view of the above comments, there is question as to whether it would not be desirable that a program such as that in question be administered by a Federal agency more directly concerned.

It is suggested that the following changes be made in the bill :

1. On page 3, lines 12 and 13, the phrase "except a dealer holding a valid license" should be changed to read : "except a person holding a valid license as a dealer." This change is necessary if a research facility is to be permitted to purchase laboratory animals from persons who are not within the definition of "dealer" but who are licensed pursuant to the second sentence of section 6.

2. On page 3, line 15, the words "or offer to transport" should be inserted after the word "transport" for the purposes of consistency within the section.

3. On page 4, line 9, the reference to section 18 should be changed to section 17.

4. On page 7, line 21, the reference to section 13 should be changed to section 12.

It should also be noted that while dogs and cats are specifically defined, the definition of "animal" is so broad as to include dogs and cats.

We assume that you are also obtaining the comments of other interested departments and agencies. We understand that the Department of Health, Education, and Welfare is now conducting a study on this general subject.

The Bureau of the Budget has advised that, while there would be no objection to the presentation of this report, the Bureau recommends against enactment of the bill at this time, pending further consideration and study of the need for, and the nature of, Federal legislation in this area.

Sincerely yours,

ORVILLE L. FREEMAN, *Secretary.*

STATEMENT OF HON. GEORGE GRIDER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TENNESSEE

Mr. GRIDER. Mr. Chairman and members of the committee, I am George Brider, representing the Ninth District of Tennessee, and it is a great honor for me to be before this distinguished committee, and interesting anyway to have the Agriculture Committee which was coping so ably with the problem of cotton last week to be coping with the problem of dogs and cats this week.

I am here to speak in behalf of my bill, H.R. 11505, which authorizes the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended for use in research.

Although I have been a lawyer for more years than I was a sailor, I always take the opportunity—when appropriate—to tell a sea story. I feel this is such an occasion and with the indulgence of this committee, I shall relate an experience that bears on this legislation.

Mr. POAGE. We will be glad to have you do so, but we will have to enforce the rule on you.

Mr. GRIDER. I will observe it strictly.

The story begins in January of 1964 in the Gulf of Mexico, aboard a small and leaking boat called the *Merry Ark*. My shipmates included three fellow attorneys and one hapless bird dog named Sam. It was a last vacation before I began my campaign for Congress, and we were bound for a few days of scuba diving and deep-sea fishing off the coast of Mexico's Yucatan Peninsula.

We were heading south when the wind began to blow. Soon we were scudding before a wind of at least 50 knots. It was as fierce a storm at sea as I have ever seen, short of a true hurricane. The waves were lifting our stern and pushing our nose almost into the sea. The spray was whipping past, and there was that moan to the wind that means truly dangerous weather.

Since we had slowed our speed to avoid arriving off the coast before daylight, and since we did not know how fast we were going,

it was clear that we are going to have to turn around immediately and face that dread sea.

So we put the rudder over, gunned the engine and awaited whatever the sea wished to do with us.

The gallant *Merry Ark* shuddered and fought and finally labored around. The first wave took her broadside; she heeled over, shook herself and snapped back, still trying to turn. I gave her a little more right rudder, something snapped and the helm came free in my hands, useless, no steering control. Needless to say, we had bedlam.

Groping in the darkness, we found the small steering pin and were able to replace it, get the steering gear back in usable shape and head the ship into the wind. For the next $2\frac{1}{2}$ hours, we headed into the pounding waves at the slowest speed that would keep steerage-way.

My spirits plunged when I learned that we had lost Sam. He'd been swept over the side while we wallowed in the trough of those terrible seas. Good old patient Sam, who had made the whole trip perched quietly on the after structure over the cabin, his only requirement the scraps from our meals and someone to clean up after him.

The sea had taken one of us and it was an altogether evil and disheartening omen. For the first time, I felt real fear.

When the first light of morning finally arrived, it became imperative that we rig a sea anchor to hold us off that rocky coast until the seas abated. We were perilously low on fuel. We tried to do this with a sea anchor of new design. Essentially it was a parachute, to be cast into the sea where it would open under water and exert enough drag to keep the ship headed into the wind.

But as the anchor was tossed overboard, the wind caught it and the parachute became a giant kite. Instead of holding us off the lee shore, it was pulling us downwind, like a toy boat at the end of a string. Now and again it would whip down to the waves and bounce into the sky again. Hauling our entire anchor line, foully knotted and tight as a bowstring, it pulled the *Merry Ark* at greater speeds than she had ever known in the calmest seas.

And so, for long minutes, this incongruous rig almost skipped us over the gigantic seas, costing us all the distance to windward that we had made through the last $2\frac{1}{2}$ hours. I tried full speed, slow speed, everything, but she would not collapse and would not let us turn away.

Finally, of her own accord, or because of a fluke in the wind, the parachute settled into the waves and became a truly great and efficient sea anchor.

I took my binoculars and went aft to study the shore, and it was then that I saw the bird dog, old Sam, swimming in the raging sea off our stern.

I hung over the stern and tried to reach him. The waves surged Sam away. He'd paddle back, very close to the end of his energy, but dumbly and painfully he'd paddle back. I could almost reach him, then he'd be swept away again. Finally I had his ear, then his neck, and then the whole wonderful dog was pulled aboard.

Then I knew the meaning of that omen. If an old bird dog could stay alive for 5 hours in that sea, if a sea anchor could turn parachute

and drag us back to the same place he had gone overboard, no fate that would cause that miracle was going to do it for a joke.

Mr. Chairman, every word of this sea story is true. And unlike the words that sometimes are heard in the other body, it is completely germane to the purpose of this hearing.

Sam was so grateful to me for saving his life that he volunteered to help me in my campaign that summer. On many a hot summer day, Sam and I pounded the pavement of Memphis, Tenn. He wore a sign which said, "Underdogs for Grider."

It was a long and difficult campaign, but we prevailed. About the only drawback of the new job is that I have so little free time to spend with Sam in the quail-hunting country around Memphis.

In appreciation for all his work for me, however, I felt the least I could do for Sam was to join in sponsoring legislation that would protect him and his friends from the evils of the dognappers.

The feeling I have for Sam is shared by most of you, I am sure. In fact, most Americans share a feeling of affection toward dogs and cats that crosses party lines and ethnic backgrounds.

There are the women that live alone who treasure the protection of a noble animal to warn of intruders.

Law enforcement agencies and the military enlarge their capabilities with canine forces.

The lonely, the elderly, and the blind gain great comfort from their pets.

Certainly there is no sportsman—be he bird hunter or bear hunter—who has not felt the sense of companionship which he shares with the dog who adds the greatest element of sport to his recreation.

And the job of a child with his first pet is one of the great experiences we have all shared.

And then, Mr. Chairman, there is the other side of the coin. The sciences, particularly the medical profession, place heavy reliance upon the use of animals for the great research which increases the human life span and adds comfort and meaning to the lives of us all.

Indeed, a great deal of that research is going on in my district—at the University of Tennessee and at the great St. Jude Research Hospital which Danny Thomas founded in Memphis to search out the cause of cancer.

Many of these great research efforts are supported by large Federal grants from the National Institutes of Health and other agencies.

I support these programs, and I will continue to support legislation directed at allout war against disease.

I am fully aware that most progress in medical science can be traced directly to the use of animals in research. But no research can justify the stealing of some dog or cat that brings joy to some youngster or companionship to an elderly person.

Those scientists with whom I have discussed this legislation agree. They have an interest in this bill because it will protect them from the unscrupulous and perverted individuals who engage in this trade that has reached such hideous proportions.

The research scientist is entitled to have his laboratory furnished with healthy animals, well cared for and treated under humane conditions. No scientist worthy of the name would want anything else.

Because of the dedication to his art, however, the scientist has little time to see to it that proper procedures are followed. My bill will re-

lieve him of that burden and add a significant step to the advancement of science.

The issue before this committee is not whether dog is man's best friend. Impassioned oratory through the ages offers conclusive proof that he is. The issue is whether man will return this friendship.

I do not intend to recount the horrors that dramatically indicate the need for legislation. They are well known to all of you. Life magazine and other news media have graphically pointed out the consequences of the present lack of legislation.

In west Tennessee last fall, we had the shocking revelation of penned-up dogs, many dead and dying, waiting for the dealer to cart them off to midwestern research centers. The owners of this farm were tried and convicted under a State cruelty-to-animals law and received a fine that amounted to a slap on the wrist.

I am not wedded to the specific language in my bill. I will support any legislation that will close the gap that now exists in our law.

H.R. 11505, briefly, would empower the Secretary of Agriculture to license dealers who buy and sell and transport in interstate commerce dogs and cats to be used for research purposes. The Secretary would also be authorized to set standards to govern the handling and transporting of these dogs and cats and to promote their health, well-being and safety. The bill also requires these dealers to keep records of the source of these animals, and penalties are spelled out for violators of this law.

The pending legislation has been referred to as the "dognapping bill" and the "dog and cat bill," and some have given it a humorous connotation. But I assure you, Mr. Chairman, that this bill is taken seriously by a large proportion of the population.

On no other piece of legislation which I have sponsored have I received so much mail. Unfortunately—because for so long no one took these complaints seriously—many writers feel it necessary to point out that they are not "misty eyed little old ladies who love animals."

Those who have written, or stopped me on the street, or called about this legislation include some of the leading physicians of Memphis, Tenn., lawyers, accountants, housewives, Girl Scouts, nurses, engineers, and schoolchildren.

Each has expressed his concern that our animals who give so freely and so unselfishly to the human species are in turn protected by that streak of compassionate humanity in us all.

Mr. POAGE. Next on our list is Congressman Joelson. I do not see him.

Is Congressman Resnick present?

I do not see him.

Congressman Reid wants to insert a statement into the record; that may be done, if there is no objection.

(The statement submitted by Mr. Reid is as follows:)

STATEMENT OF HON. OGDEN R. REID, A REPRESENTATIVE IN CONGRESS FROM THE
STATE OF NEW YORK

Mr. Chairman, the recent shocking discovery of 103 dogs cruelly confined in a Baltimore junkyard has focused nationwide attention on the inhumane treatment of dogs, cats, and other animals in dealers' establishments. This incident underscores the need for Federal legislation that will: First, make the theft

of animals to be used for research and experimentation a Federal offense; and second, regulate through licensing the handling, sale and transportation of animals by dealers who sell them to research facilities for experimental purposes.

I have introduced a bill, H.R. 13321, which would fulfill these needs and I welcome the opportunity to support legislation of this type today.

Humane care and treatment must be guaranteed for animals used in research during all stages of procurement, transportation, and storage. The purchasing procedures of research facilities must meet certain standards that will insure that the animals used for experimentation are obtained from licensed dealers.

Unnecessary pain must never occur through careless, thoughtless, or even cruel practices—especially by dealers who handle the animals even before they reach the laboratories. In calling for Federal regulation of animal handling by dealers, the New York Times in an editorial of November 28, 1965, stated that what is at issue here is the decent, responsible care of animals.

Laboratories now use almost 2 million dogs a year for experimental purposes and about half a million cats. From \$30 to \$50 million was spent for these animals by hospitals and research laboratories receiving Federal funds.

Unscrupulous persons capitalize on this demand by stealing family pets from streets, backyards, and automobiles and then selling them to research facilities. In testimony before this subcommittee last September 2, numerous witnesses cited the case of an animal dealer "who enjoyed sales of over \$750,000 last year." Another witness observed at the same hearing that 65 percent of all dogs and cats used for medical research are stolen animals. As an article in the February 4, 1966, issue of Life magazine pointed out, the Humane Society of the United States estimated that 50 percent of all missing pets have been stolen by such dognappers.

Mr. Chairman, the black market in illegally obtained animals is an interstate business. Stolen dogs and cats are often transported across State lines to a dealer's farm or to a research facility. The thief who moves a stolen car or stolen livestock from one State to another commits a Federal crime but the interstate transportation of stolen dogs and cats is not a Federal offense.

Furthermore, only 11 States and 30 communities have adopted laws that protect pet owners and guarantee an adequate supply of animals for study. New York State has such a law but—according to a statement submitted at the September hearings by the Animal Rescue League of Berks County, Pa.—one of the most "widely published cases of a family pet believed to have been sold by a commercial dealer to a medical research laboratory is that of a Dalmatian owned by a Pennsylvania family" and transported by a Pennsylvania dealer to a laboratory in New York City where the animal died before its owner was able to rescue it. In other words, State laws are unable to deal effectively with the traffic in stolen animals that originates outside their borders.

This is a serious problem and the need is clear for strong Federal legislation that establishes effective machinery to identify and penalize animal thieves. My bill would make it a Federal offense to steal a family pet for sale to a laboratory.

Equally, I believe legislation is needed to set up and enforce standards for housing, feeding, and sanitation of animals in transportation and in dealers' establishments. Oliver Evans, president of the Humane Society of the United States, has testified that "in general, conditions at the dealers' establishments have been found to be positively filthy with many evidences of neglect in feeding, watering, and control of disease." Humane Society officials, veterinarians, law enforcement officers, and concerned citizens have testified as to the abominable conditions that exist at dealers' establishments in all parts of the country. Here, too, State laws are woefully inadequate to bring about badly needed reforms.

I would particularly like to point out that my bill provides that the Secretary of Agriculture shall appoint a panel of lawyers, deans of medical and veterinary schools, and other distinguished citizens to advise him on promulgating the necessary standards. In my judgment, the involvement of those with a direct interest and expertise in the humane treatment of animals to be used for research would be of significant value.

Further, I am studying legislation that will set standards for the treatment of animals within laboratories but which will in no way hinder scientific experimentation and research.

As a major supporter of scientific experimentation, the Federal Government should encourage the acquisition of animals used for experimentation through legitimate means, and it should not condone, either directly or through inaction, the mistreatment of these animals by unscrupulous dealers.

Mr. POAGE. We have several documents and/or statements which have been submitted for the record and, without objection, they will be inserted at this point.

(A letter dated March 4, 1966, from Representative Henry H. Poff and attached telegram from Dr. Coyt T. Wilson, director Virginia Agricultural Experiment Station, VPI; a statement from Representative Bernard F. Grabowski and a statement from Mr. Leslie E. Johnson, head, Department of Animal Science, Iowa State University, follow:)

HOUSE OF REPRESENTATIVES,
Washington, D.C., March 4, 1966.

HON. W. R. POAGE,
Chairman, Subcommittee on Livestock and Feed Grains, House Committee on Agriculture, Washington, D.C.

DEAR MR. CHAIRMAN: Enclosed is a thermofax copy of a telegram addressed to me by Dr. Coyt T. Wilson, director of the Virginia Agricultural Experiment Station at Virginia Polytechnic Institute, Blacksburg, Va.

As you will see, that telegram concerns H.R. 12488 and that bill in turn concerns a subject in which Dr. Wilson is particularly well versed. May I respectfully request that my letter and his telegram be made a part of the subcommittee hearings which, I understand, have been scheduled for March 7 and 8.

With kindest regards, I am
Sincerely,

RICHARD H. POFF.

BLACKSBURG, VA., March 2, 1966.

Congressman RICHARD H. POFF,
House Office Building, Washington, D.C.:

I support the idea that Federal legislation is needed to insure that animals for research purposes receive humane treatment. However, some provisions of H.R. 12488 cause me concern. For example, it appears that the bill would require Agricultural Experiment Stations to purchase feeder pigs or steers from licensed dealers if they are to be used in feeding trials. I urge you to study this and other bills that may be interviewed carefully and to provide adequate safeguards for the research programs concerned with more efficient production of high quality livestock and poultry.

COYT T. WILSON,
Director, Virginia Agricultural Experiment Station.

STATEMENT OF HON. BERNARD F. GRABOWSKI, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF CONNECTICUT

Chairman Poage and members of the committee, I want to thank you for giving me this opportunity for submitting my views in support of legislation which would authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and other animals intended to be used for the purposes of research or experimentation.

The fact that 17 of our colleagues in the House have introduced bills calling for ways and means to provide for the more humane treatment of animals reflects the growing public concern with this situation. It is true that this problem has been with us for a long time. The distinguished chairman of this subcommittee has been a leading advocate of such legislation for many years. Today, however, two new factors give the need for this legislation an added impetus. First, the United States each year accelerates its programs of medical and scientific research. Millions of dollars of public and private money is being poured into this research. Second, in recent months the various news media have focused public attention upon a distressing situation. The increased need of laboratories for animals has created a new demand which in turn has created a vicious, highly profitable black market in animals. Dognaping has become a commonplace expression. A recent issue of Life magazine, several national TV shows and numerous articles have brought all this to the public attention.

Chairman Poage's bill, H.R. 12488, is supported by a number of similar bills. Here is a bill that is designed to end the practice of traffic in stolen household pets. This legislation would not in any way curtail or outlaw scientific research. It would merely prohibit acquisition of animals for research or experimental purposes except from licensed dealers.

The need for animals in research has become great. And as a result the primary source of these animals is through a thieves' market. This is a criminal, but lucrative practice of traffic in household pets. These unscrupulous persons utilize various means and sell them to research units. They do not care whether the animal is healthy, fed, watered, or properly housed. We were all shocked by the pictures that we saw resulting from a raid by the Maryland State Police. Here was a flagrant example of an animal concentration camp.

The proposals before this committee would provide for the policing and regulation of the acquisition of research animals. Enactment of this legislation would make it a Federal offense to steal a family pet for sale to a laboratory. In addition, all dealers who supply animals to laboratories would be required to be licensed by the U.S. Department of Agriculture. And all such animals furnished to the laboratories would have to come from such licensed dealers.

The Federal Government is a major supporter of scientific experimentation and should be a partner in the acquisition of these animals through legitimate channels. The power of the Federal Government should be used to prevent the stealing of animals and the profiteering gained from a thieves' market.

I cannot see anything in these various proposals which in any way would interfere with the proper use of any animal for scientific purposes. We all recognize the fact that such scientific experimentation has resulted in the advancement of knowledge of science. But, let us bear in mind that this is a civilized country and it should be possible for an American family to feel secure in the belief that their pets are free from the danger of abduction for the purpose of being sold for profit to laboratories for scientific experimentation. The legislation now before this committee is intended to put an end to the illegal and inhumane practice of procurement of dogs, cats, and other animals for medical experiments by stealing family pets from the streets, backyards, and family automobiles.

I am confident that this committee will bring to the floor of the House a bill that will reflect the general consensus of concern so widely felt by both the Congress and the public. I promise to work vigorously for the adoption of this legislation. Through the passage of this bill we can provide the too-long-delayed aid for animals that are speechless and must rely entirely on man's compassion to speak for them. It is this that reaches our hearts and shows the need for remedial legislation.

STATEMENT OF THE RESEARCH SECTIONS OF THE ANIMAL SCIENCE DEPARTMENT, IOWA STATE UNIVERSITY

We, the undersigned, wish to express our deep concern over the restrictive, directive, and controlling philosophy of bills coming before the Livestock and Feed Grains Subcommittee concerning animal care. Specifically objections must be raised on the restrictive use of adequate numbers of animals in experimentation. At best the researcher hopes to have enough animals and enough replication to estimate the population characteristics or responses. If an uninformed coordinator were to specify a reduction in animals it could well render the experiment useless.

It is the express purpose of this research group to improve the performance of farm animals through breeding, management, nutrition, and physiology. It is recognized by each of the undersigned that the comfort, health, and well-being of our experimental animals have a relationship to the problems upon which we are working. In fact it becomes increasingly obvious that stresses associated with the animals' well-being act as barriers to their production potentials, so that a portion of our experimental work actually is directed toward improved management conditions. In our large animal studies, it is necessary many times to conduct pilot studies with laboratory animals. In these studies the good management and husbandry practices associated with large animal work guide us. In most cases it was an early interest and concern for animals that led each of us into our respective areas and it would be against our principles to inflict needless suffering on animals.

Those proposals similar to H.R. 5191 introduced to the Subcommittee on Public Health and Welfare in 1965, which are designed to educate and solve the problems of know-how, personnel, and adequate facilities for animal laboratories, have our support. The Congress has contributed heavily to the benefits this Nation has derived from the tremendous research effort in the search for new drugs, biologicals, and surgical techniques directed toward the reduction of human and animal suffering and improved human and animal productivity. Continued support by Congress rather than research impediments are warranted for the scientific pursuit of improved human and animal health and welfare.

WISE BURROUGHS,
Ruminant Nutrition.

L. N. HAZEL,
Animal Breeding.

VAUGHN C. SPEER,
Swine Nutrition.

NORMAN L. JACOBSON,
Dairy Nutrition.

R. M. MELAMPY,
Reproduction Physiology.

Mr. POAGE. The next witness will be Miss Christine Stevens of the Animal Welfare Institute and the Society for Animal Protective Legislation.

We will be glad to hear from you now.

STATEMENT OF CHRISTINE STEVENS, REPRESENTING THE ANIMAL WELFARE INSTITUTE AND THE SOCIETY FOR ANIMAL PROTECTIVE LEGISLATION

Miss STEVENS. Mr. Chairman and members of the committee, my name is Christine Stevens, and I wish to testify in favor of H.R. 12488 in behalf of the Animal Welfare Institute and the Society for Animal Protective Legislation.

I wish particularly to emphasize that the organization I represent would strongly oppose any reduction in the scope of the bill. We respectfully urge the members of this committee to report out a bill requiring humane treatment in the dealers' premises, in transit, and in laboratories of all vertebrate animals sold to scientific laboratories.

Some of the bills pending omit laboratories from the requirement of humane animal handling. Yet it is the laboratories who create the market, and it is agreed by all that many animals are suffering needlessly in laboratories. To quote Medical World News, February 11, 1966:

With the vast increases in research, laboratories have become increasingly more crowded. Animal care facilities have been kept to the irreducible minimum in many cases, with cages that are too small, no open-air rooms, inadequate waste disposal, and poor supervision.

Without mandatory legislation such as the Poage bill to require humane care and housing of animals, the situation will continue, regardless of how much money may be available. In fact, it is the availability of such vast sums that has brought about the situation so accurately described by Medical World News.

We are spending more money on animal experimentation than any other nation, yet standards of animal care and housing in many major research centers are far below comparable institutions in England and

Canada. Here are a few photographs of the method used by the University of Minnesota for the housing of its approximately 1,400 dogs. These dogs are never taken from the cages except to go to the laboratory. Some have been there for years. The cases are hosed with the dogs inside. Naturally, the animals are often wet. They receive no pain-relieving drugs after major surgery and are simply put back in their basement cases to rest as best they can on the metal mesh floors, often so cramped that they can neither stand normally nor stretch out. To tolerate mass mistreatment of helpless animals is shameful. But those responsible for it are not ashamed.

These pictures were taken about 6 weeks ago under the supervision of the laboratory animal consultant of the Animal Welfare Institute, who will testify later. The pictures were taken because Dr. William Kubicek asked Senator Clark to arrange a conference with officials of the Department of Health, Education, and Welfare. He told Senator Clark what fine care and housing the animals at the university have. In September, Dr. Kubicek had given an interview to the Minneapolis Tribune stating that the university's animal quarters were open to anyone at any time "announced or unannounced," "with or without a camera."

No one took up this published invitation until we felt it necessary to do so in order to keep the record straight at the conference Dr. Kubicek had asked for. At this conference, Dr. Kubicek asked what was wrong with this picture of dogs in three-tier cages at Rosemont, the university's so-called "dog farm" where, despite large open spaces around the one-story building, the dogs still remain perpetually caged. The attitude which underlies all this completely useless misery is well expressed in Dr. Kubicek's remarks (1) although he had issued a public statement inviting anyone to photograph the university's animal quarters, he accused us of being a "spy ring"; (2) he said there would be no use in giving the dogs runways because the next thing we would ask for would be to have the cages gold plated; (3) he said the dogs get enough exercise going from the cages to the laboratory; and, finally, (4) he said the \$500,000 specified in the Clark bill to administer the humane treatment provisions would "make 10 nice research grants."

The University of Minnesota received last year 249 "nice research grants" totaling \$8,527,253. Humane taxpayers object rightly to being forcibly made a part of the senseless cruelty of closely imprisoning thousands of dogs. No one could argue that it is beneficial to the research being conducted on these animals that they should be cramped, wetted, neglected, and left to die unattended. On the contrary, it is obvious that many dogs die without proving anything at all, simply because of an avaricious attitude with respect to Federal funds—more millions of "nice research grants" but not a penny to make the animals comfortable or relieve their pain.

The instructions to caretakers at the university points up this penny wise, pound foolish approach. Their manual tells them to remove the dead dogs from the cages when they come in, in the morning.

The same attitude is reflected in the misery of animals in the premises of the animal dealers, where more economy reigns and is carried even further in trying to maintain the dogs on offal or sometimes on

no food at all. Still further economy is practiced when a dog is stolen, costing nothing—nothing, that is, but the sorrow for the family whose pet has disappeared.

On other occasions, the enormous demand for dogs leads to the selling of impounded dogs before the owners are able to reclaim them. One report tells of a Irish setter sold to the university before his time was up while the owners frantically sought, through advertisements posted in supermarkets and elsewhere, to locate him. Instances such as this are taking place throughout the country.

For the record, I wish to submit a letter from Mrs. Connolly, owner of the dog that escaped from Harvard Medical School and returned home, thin and voiceless, to the family of seven children he regularly guarded on their way to and from school. His picture appeared in the February 4 issue of *Life*.

Nor are dogs the only creatures whose procurement and handling by dealers and laboratories are in urgent need of reform. In the *Life* article the point was brought out that the dealer, Brown, sold a variety of animals, not dogs alone; and it is of interest to note that more letters were received by *Life* magazine on this article than on any other which has appeared in the magazine. When the American public sees cruelty and neglect of animals it wants action to stop the abuses. That means a bill like H.R. 12488, which protects all vertebrate animals, not only the well-established laboratory species but exotic species from all parts of the world which are being increasingly used for experiments. As *Medical World News* wrote:

The range of new and exotic animals for biomedical research has barely been investigated. Ideally, scientists would like to have at least one animal for every naturally occurring human disease to which it is also subject. And that is the goal they are pursuing.

Dealers in imported species tried, in 1963, to prevent even the single inspection imported animals are subject to when they enter the country. The Congress, wisely retained customs jurisdiction, duty, and inspection, and some Members of Congress pointed to the need for more regulations of these dealers. H.R. 12488 would help to fill this need, which grows greater as the importation of exotic species increases.

While it is indeed a crude way to measure suffering, mortality of the animals involved is, at any rate, a definite one. Mortality on the order of 30 or 40 percent has been reported by laboratories receiving monkeys. For example, at the 1964 meeting of the Animal Care Panel in New York City, Dr. R. L. Miller, veterinarian at the Bionetics Research Laboratories, Inc., Falls Church, Va., told about his problems in importing pregnant female monkeys. He didn't want to wait a year, which it would take if they bred their own, so he imported pregnant monkeys. It regularly happened that one-third of the monkeys would die in transit because of their handling. As for the infants of the remaining monkeys, half were born dead, and many were born prematurely.

Mortality of dogs and cats purchased from dealers is reported at 40 and 50 percent. It would seem almost incredibly wasteful to continue with such a system; but I was informed by Dr. Shaffer of Downstate Medical College of the University of the State of New York that he had no complaints about the "clinical appearance" of the cats

supplied to him by Dierolf Farms (the big dealer, notorious for his resilience in brushing off convictions for criminal cruelty to animals and continuing business as usual). Dr. Shaffer telephoned me expressly at the request of Dierolf Farms, who, he pointed out, had approached him at the last meeting of the Animal Care Panel in Philadelphia and requested him to call me about a letter in which I referred to cats from Dierolf Farms as "ill, dehydrated, and in some cases dying" and pointed out that—

it has been the policy of Downstate Medical Center to purchase 50 percent more cats than are actually needed because the mortality rate is so high.

Dr. Shaffer stoutly maintained that this mortality has "nothing to do with the dealer" and that purchase of cats from any dealer or animal pound would bring the same risk. He stated categorically that there is "no choice between them." Dr. Shaffer said he could see no way of controlling cross-infection which kills the cats and that it has "nothing to do with how a man keeps his cats." That, he said, was the reason, after Dierolf approached him at the Animal Care Panel, that Dr. Shaffer decided to telephone me. I challenged Dr. Shaffer on his assertions asking him what data he had to back him up so far as laboratories other than his own are concerned. He said such data would be impossible to obtain because, as he put it, "The fact is, they don't keep records. The thing is, these animals die, and that's the end of that."

Another report on deaths of animals purchased from Dierolf Farms came in the course of a radio program on which Dr. Levowitz of Brooklyn Jewish Hospital appeared last month. He stated that the institution had 40 percent "attrition" on the dogs purchased. Or, in layman's language, 40 percent died before they could be used for experimentation.

The extent to which sickness which does not actually kill the animal, nevertheless, affects the outcome of the research, is not easily measurable. However, an instance was reported by the veterinarian in charge of animals at a commercial laboratory in which a product was condemned as dangerous and unsalable because all the dogs which were given it died. Two years later, the same test run on healthy dogs indicated that there was no danger at all. All the dogs survived, and it was then learned that the first group had succumbed to distemper.

It would have been too bad if the material being tested had been a long-sought curative drug discarded because it was believed to be poisonous. Such a scientific error could mean that an important discovery could be lost for years or even forever if no one suspected that the animals had been sick.

Yet, general sickness originating with the animal dealers is often tolerated in laboratories. On one visit to the Berg Institute at New York University, we complained about the coughing and sneezing and running noses in the rabbit colony. We were curtly told that all the rabbits in New York laboratories were sick.

When I complained to Mr. Berton Hill about listing the names of cruel and insanitary animal dealers in the Directory of the Institute of Laboratory Animal Resources (National Academy of Sciences-National Research Council), he told us of a case in which one of the suppliers of rats had such excessively dirty conditions that a new and

previously undiscovered disease of rats apparently developed on his premises. Such diseases can be transmitted to whole colonies of animals when sick animals are purchased. It may mean an epizootic, destroying long-term research projects. However, Mr. Hill said he had no authority to omit from the NAS-NRC listing the names of dealers who had animals for sale, regardless of the conditions under which they were kept.

Thus, it may be seen that the health and well-being of animals on dealers' premises is intimately tied in with those in the laboratories themselves and that it is of prime importance, both for the welfare of the animals and the proper conduct of research, that minimum standards be set and enforced throughout. The unaccountable reluctance of scientific groups to act with firmness to stop abuses means that it is up to the Congress to supply the mandatory standards and inspection.

The suggestion that laboratories can accomplish self-regulation through the new American Association for Accreditation of Laboratory Animal Care cannot be viewed with credulity by anyone who has studied the situation.

From the moment legislation was introduced to require humane treatment of experimental animals, the groups now comprising the AAALAC sought to convince the Congress that they would do everything necessary to insure proper treatment of experimental animals and that, except for wanting still more money, they had the situation well in hand. At the 1960 Animal Care Panel in St. Louis, for example, the National Society for Medical Research had a large display intended to calm any doubts about the treatment of animals. The Animal Care Panel, they said, represents "the largest pool of information on laboratory animal care in the world," while the National Institutes of Health were credited with providing "funds for new and better animal care facilities," and the Institute of Laboratory Animal Resources puts emphasis "on obtaining more nearly uniform animals for more efficient research."

In 1962, a press release from a National Society for Medical Research committee at the meetings of the Federation of American Societies for Experimental Biology in Atlantic City, describes "a program of self accreditation of animal facilities and care by scientific organizations," and a wish for more Federal funds. Not, however, until after the hearings in two House committees last September did the groups represented on the above-mentioned committee actually announce their accreditation scheme. It is a pitiful offering that at last comes on the scene after so much advance publicity.

The trustees of the AAALAC are the same group that spoke under a different name in 1962; chief among them, the American Medical Association, Pharmaceutical Manufacturers Association, and other large medical and scientific groups. A council is made up of veterinarians and others who would make "site visits" and accredit institutions for fees ranging from \$100 to \$1,000 with an annual "voluntary" tribute of \$100. Once accredited, the institution would be in the clear for 5 years and could assure all concerned that its treatment of animals was beyond reproach, as proved by the accreditation by the AAALAC. The fact that some of the site visitors are men who argue the merits of perpetual caging of dogs and who refuse to administer any pain-relieving drugs to animals after severe surgery is blithely overlooked.

This distinguished committee, I am confident, will not be taken in by such an obvious attempt to whitewash a bad situation. The idea of accreditation is simply a response of a sizable group which has consistently fought effective humane controls. Breeders, dealers, scientific institutions, and manufacturers of equipment for sale to laboratories all have vested interest in animal experimentation, whether or not it produces results beneficial to humanity. It is beyond their powers to police themselves, for there are too many pressures preventing them from doing an honest and effective job.

Therefore, we earnestly request the Congress to enact the Poage bill, H.R. 12488, which can, through inspection and licensing, promptly bring an end to the widespread abuses in the handling and housing of animals by those who sell and those who buy experimental animals and which will prevent theft of pets for sale to laboratories.

(Miss Stevens presents the following documents in connection with her statement above given:)

MISS STEVENS: I was asked to write to you about the disappearance of my dog.

Last December my dog, named Lancer, who for 2 years went to school with my 7 children faithfully every morning and came back a half hour later to wait for them to come home so he could go out and play with them disappeared.

My dog had never strayed or gone anywhere without the children. You could set a watch on his schedule, that's how he was, until one morning he didn't come back from school. He never stayed out overnight in his life so when he wasn't back the next morning everyone started to look for him. We asked the children in school, the neighbors, and the Animal Rescue League in Boston. We then called the police in Newton, Mass., and Brighton, Mass.

The police in Newton, Mass., where we live, told us to call Dr. Schofield who was the city dog officer.

We called him and he told us that the police had no right to refer him to us because he had nothing to do with lost dogs so we believed him and concentrated our efforts on looking elsewhere.

My husband took time off from work to go to the Animal Rescue League in Boston to look at dogs and the Angell Memorial Hospital in hopes of finding him and if you ever had a lost dog and went to look for him there you would know the feeling when after opening a half dozen doors and looking at a hundred dogs you come to the last door and behind that door is all your hopes of him being in the last room and you open it and he isn't, you know how we felt.

Then one morning after Christmas a neighbor called me and told me she thought Lancer was at the back door trying to get in. I went out and couldn't believe it was him. He was so thin and dirty. I wasn't sure myself it was him so I brought him in the house. I found out then it was him but he had lost his voice probably from barking so much when he was held captive or what caused it I don't know.

Around his neck he had a heavy silver chain and a medal with the initials H.M.S. and a number.

My husband was not with me at the time so I called him at work and he said it must be another license number. So I called the police and they said it was Harvard Medical School. I then called Harvard Medical School and they told us that they had received the dog from Dr. Schofield in Newton who had already told us he had nothing to do with lost dogs. When I called Dr. Schofield with this information he still denied having him until Harvard showed the receipt in their files to him. Then he tried to make excuses that he thought I was talking about a cat or someone else must have taken him. I wouldn't mind but this same Dr. Schofield treated my dog when he was a pup.

It turned out anyway that my dog had been sent from Harvard Medical in Boston to a farm in Hopkinton, Mass., that belongs to Harvard Medical for experiments with dogs. After 2 weeks in Hopkinton, Mass., they were sending him to another place for dogs belonging to Harvard Medical School on

Shattuck Street in Boston. As they were preparing him for the trip back to Boston he broke the chain holding him and got away.

This was told to me by Harvard Medical School.

How he ever found his way home, I will never know, because the distance from Hopkinton to Newton is about 20 or more miles, but dogs are smarter than we think. He lost about 35 pounds in his ordeal, but with all the love he gets at home and good food he looks just as good as ever now.

I hope my story helps you in changing the laws so they can help people keep the pets they have instead of destroying them.

Harvard Medical claims what they do is legal; so does Dr. Schofield. So if it is why isn't the public informed of these places so they can look for their lost animals there instead of the wrong places?

Why do they keep these places a secret?

Thank you for reading my story.

Mrs. THOMAS F. CONNOLLY,
Newton, Mass.

TESTIMONY IN SUPPORT OF THE POAGE BILL, H.R. 12488

New York University Medical Center, New York University School of Medicine,
New York, N.Y.

This statement is one that is in complete agreement and support of the Poage bill, H.R. 12488. It is guided by a careful review of the subject, and has involved speaking with many people engaged in research where animal experimentation is involved. Some of our views is patterned after a comprehensive report prepared by the Committee of Public Health of the New York Academy of Medicine.

A few of the main points are presented:

I. Federal legislation on the regulation of the proper and humane care of laboratory animals is desirable and necessary.

II. "Reasonable standards and regulations for proper animal facilities and for humane care in the maintenance and use of laboratory animals should be established and enforced."

III. While there should be local, State, and Federal means of inspection, the main responsibility of control should be a self-regulating setup involving internal responsibility of each institution. This would ideally require an executive officer, a specialist in veterinary medicine, and well-trained animal technicians.

IV. Excessive abuse of animals and failure of a grantee to comply with standards and regulations should result in discontinuance of support or contract.

V. Dealers of laboratory animals should be licensed: The requirement in licensing of research institutions is justified if it is restricted to the humane care, housing, feeding of animals, and to the prevention of needlessly cruel experiments that involve prolonged, severe pain.

An important part of Federal legislation in the care of laboratory animals must involve safeguards for the experimenting individual and institution. There must not be overregulation, discrimination, dictation, or restriction on the use of animals. It is my understanding that the Poage bill does not involve redtape that would result in sterile, nonproductive, preventive performance in the carrying out of laboratory experiments.

NATHAN ENTNER, Ph. D.,
Associate Professor in Preventive Medicine.

STATEMENT OF MARJORIE ANCHEL, SENIOR RESEARCH ASSOCIATE, NEW YORK
BOTANICAL GARDEN, BRONX, N.Y.

I wish to submit the following statement in support of a strong bill to regulate the procurement, handling, and sale of vertebrate animals to be used for research or other experimental purposes. In the interests of research, as well as of humane treatment of animals, and in order to protect pet owners from theft, regulation of animal dealers is an obvious necessity. The right to inspect animals at their ultimate destination is a further requisite for accomplishing the object.

This was made apparent to me many years ago, as a graduate student in a medical school physiology course: Many of the cats we used were still wearing collars of a kind used only for valued and cared-for pets.

The intolerable situation with regard to theft and mistreatment of animals by dealers has recently been overwhelmingly and irrefutably demonstrated. The so-called solution of pound legislation which has been proposed is to my mind both unethical and unrealistic. It is based on subversion of humane societies from their proper purpose and on either the acceptance of there being an inexhaustible supply of homeless animals, or on the expectation that pet owners, in general, would be willing to have pets they cannot keep used for experiments.

The use of animals of known origin, healthy animals raised specifically for the purpose, can only be of ultimate advantage to research. The use of animals of unknown background can vitiate results, wasting time and sentient life. When the present absence of control results also in mistreatment and theft of animals, legal control is justified and called for.

I strongly urge passage of an effective, enforceable law. I have read the Poage bill, H.R. 12488 and believe it embodies the essential requirements.

STATEMENT OF DR. F. BARBARA ORLANS

I wish to express my approval of Congressman Poage's bill, H.R. 12488. I hold a doctor's degree in physiology and have engaged in medical research in both England and the United States. The provisions for licensing both research facilities and animal dealers and for authorizing the Secretary to promulgate humane standards of handling and transportation would do much to promote good care for research animals.

In administering these provisions, some form of inspection would be required to see that adequate standards are in fact met. I would urge the subcommittee to be explicit as to the nature of these inspections. From any announced, prearranged inspection, basic physical equipment of animal housing can be assessed but not the day to day standards of handling and care. An announced inspection would be prepared for; overcrowded and unsanitary cages, the lack of food and water would probably not be noted. On the other hand, unannounced inspections would serve as a continuing stimulus to maintain satisfactory standards. It would be reasonable for inspectors, who should have medical or veterinary qualifications, to make unannounced visits to marginally acceptable premises several times each year and those with known high standards infrequently. I believe that such unannounced inspections should be made mandatory.

STATEMENT IN SUPPORT OF H.R. 12488 TO PROTECT ANIMALS BEING SOLD TO LABORATORIES

Shaker Heights Veterinary Hospital, Shaker Heights, Ohio

I urge the early passage and enactment of H.R. 12488 introduced by Congressman W. R. Poage to protect animals being sold to laboratories, in order that strong and effective enforcement of his recommendations may be applied as soon as possible.

K.K. GOEKJIAN, D.V.M.

MR. POAGE. The pictures you have there, Miss Stevens, if you will pass them up, we will let the members see them.

I think that will help.

MR. RESNICK was not here when I called him. We will be glad to hear from him now.

Let me say that we, without objection, will insert all statements, and those who appear may read such portions of their statements as they desire, or to make such comments as they desire, and their entire statement will be included in the record as if read.

We will now hear from Congressman Resnick for 5 minutes.

**STATEMENT OF HON. JOSEPH Y. RESNICK, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF NEW YORK**

Mr. RESNICK. Thank you, Mr. Poage, and members of the committee. I want to thank you for having these hearings and to commend you on your interest in this very serious matter. However, as you know, I introduced a bill H.R. 9743, dealing in this general area, and I feel that there are certain facts that I should mention. Although I, generally, support H.R. 12488, H.R. 9743 would specifically control transportation of stolen animals, the handling of laboratory animals, such as dogs and cats, and would have remained out of the humane field.

I feel that this whole area is being handled in a very comprehensive manner in other bills that are presently before other committees of the House, and I feel that it might be a mistake to mix the two together.

The most shocking abuse I feel is the use of stolen animals for medical research, and, therefore, I felt that if a bill were designed specifically to take care of this abuse rather than to get into the other area of humane treatment, it might very well lead to more comprehensive measures in both fields.

During the hearings that this distinguished committee had on H.R. 9743 and other bills similar to it, the main thrust of the medical testimony was the cost of the program if the dogs were specifically raised for research. They did not particularly deny the source of research animals, rather they testified time and time again, that the cost of the animals would be prohibitive if they were forced to raise them commercially as I suggested. I have since learned that a full-grown beagle can be purchased for \$85. While this is more than they pay for each individual animal today, the fact that this would be a healthy animal would be an animal bred specifically for research purposes the final cost would not be prohibitive.

Along these lines, I wrote to the National Institutes of Health on February 3, and I request permission to put this letter into the record.

Mr. POAGE. Without objection, that may be done.

(The letter referred to and reply thereto are as follows:)

FEBRUARY 3, 1966.

HON. JOHN W. GARDNER,
Secretary of Health, Education, and Welfare,
Washington, D.C.

DEAR MR. SECRETARY: The animal procurement practices of the Nation's research laboratories have become a national disgrace. I am sure that there is no need to recount once again a story that is now familiar to all of us—the story of family pets, dogs and cats, that are stolen off the streets, sold to disreputable dealers, and eventually wind up in the hands of suppliers to hospitals and laboratories.

Most users of these animals are indifferent to the manner in which their suppliers obtain them, and are as equally indifferent to the inhumane treatment the animals are subjected to before being delivered to the laboratory. While I realize that the National Institutes of Health inspects its suppliers and insists that standards of treatment and cleanliness must be rigidly maintained, two facts nevertheless stand out: First, that the great majority of hospitals and laboratories cannot and do not demand their suppliers' adherence to such standards; and, second, even NIH has no way of avoiding the purchase of animals which originally were illegally obtained by suppliers.

Another undesirable side effect of the present procurement system is that the general run of animals provided to laboratories is extremely poor—they are

usually underfed, sick, and weak—hardly ideal specimens for meaningful and constructive research. I have been told by the doctors of many laboratories that they frequently buy two or three times as many animals as they actually need because of their condition.

The current issue of *Life* magazine, dated February 4, painfully illustrates the wretched manner in which these dogs are kept by dealers and indicates that many of these dogs are family pets, which, in fact, have been stolen for eventual sale to laboratories. Substantial testimony to this effect, from a variety of different sources, was made last September 3 to a subcommittee of the House Committee on Agriculture holding hearings on my pet-protection bill, H.R. 9743.

That the situation is bad enough to be of concern to hospitals themselves, is indicated by the fact that one of the country's leading hospitals has just undertaken a pilot project to raise its own research dogs, and establish its independence of the usual supplier.

I am writing you at this time, Mr. Secretary, to urge that the National Institutes of Health, which uses over 100,000 dogs and cats annually, set an example for the rest of the Nation by taking immediate steps to produce all of its own dogs and cats in the future, which would be bred and raised for laboratory use just as rabbits and guinea pigs are now. There is much to be said for this practice. You would always be assured of a dependable supply of animals whose source is beyond question, whose cost would be predictable, and whose health and condition would be excellent. This venture should be economically feasible since there are already in existence a number of animal breeders exclusively in the business of raising dogs for laboratories. I would suggest that a limited model program be established by NIH to provide 5,000 or 10,000 animals a year as a start, so that a true cost can be obtained and the program evaluated. It is my firm belief that by providing its animals in this manner Government will reap a great advantage financially and in the quality of animals obtained. And you would put an end to the thievery of pets committed in the name of science.

I urge you to give this proposal serious consideration and would appreciate your comments.

Cordially yours,

JOSEPH Y. RESNICK,
Member of Congress.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,
PUBLIC HEALTH SERVICE,
Washington, D.C., February 23, 1966.

HON. JOSEPH Y. RESNICK,
House of Representatives,
Washington, D.C.

DEAR MR. RESNICK: Your letter of February 3 to Secretary Gardner suggesting that National Institutes of Health give consideration to breeding all dogs and cats required for its intramural research programs is a proposal of mutual interest.

Over a period of years the NIH has given considerable attention to better ways of providing dogs and cats for its research programs. Substantial improvements have been made in several areas, such as housing, quarantining, and conditioning. Also, meaningful purchase specifications and inspection of dealers have been implemented. Yet we believe that the present system of purchasing from vendors is inadequate. For these and other reasons the NIH has been investigating the economic and operational feasibility of becoming independent of the dealer system. The NIH has a pilot breeding project for dogs and cats at the NIH Animal Center, Poolesville, Md. Funds permitting, it is anticipated that pilot contractual breeding projects for both dogs and cats will be initiated in the near future.

Though highly desirable, the breeding of dogs and cats for research is expensive. Compared with the present system of obtaining dogs from dealers, it is estimated that commercially bred dogs would be at least twice as expensive and for the NIH to breed its own dogs would be about three times as expensive.

The NIH has given increased attention to the use, wherever feasible, of animals other than dogs and cats. Significant numbers of farm animals are now being used. Calves and pigs are proving to be excellent subjects for certain types of heart surgery.

The NIH is also undertaking a project which, if successful, will reduce substantially their overall requirements for dogs. This project involves the development of a colony of blood donor dogs to provide blood for priming the heart-lung apparatus employed in experimental open heart surgery.

We appreciate your interest in these problems and the concern you share for the pursuit of meaningful and productive research.

Your proposal and interest are greatly appreciated.

Sincerely yours,

WILLIAM H. STEWART,
Surgeon General.

Mr. RESNICK. The first is a letter to the Secretary of Health, Education, and Welfare, Mr. Gardner, and on February 23 I received a reply to that from the Surgeon General of the United States, Mr. William H. Stewart.

The gist of my letter was that we should set up a pilot project raising dogs for use in laboratories. The Surgeon General's response was that they have set up this type pilot project.

H.R. 12488 calls for a \$500 fine as a penalty for violation. I believe that a \$500 fine is too small, simply a slap on the wrist. It is an amount which would enable a person who plans to continue in this cruel business to do so. This business is so profitable that he can very well stand a fine of \$500 without it doing any real financial damage. I feel that it should be \$10,000 as in H.R. 9743. I think that we should make this bill as strong as possible, to discourage anybody from thinking that they can make a profit from stolen household pets.

Going back again to the hearings that were held last fall: One of the objections of the medical profession was that H.R. 9743 was limited, as it specifically referred to stolen dogs and cats for medical research purposes only; therefore they asked the committee to delete the phrase "for medical research purposes." I also feel that the deletion of this phrase will not weaken or alter the main purposes of this legislation. I, personally, believe, however, that virtually the only reason that a pet is ever stolen is for medical research purposes. There is no other market for these stolen pets; valuable pedigreed dogs and cats are worthless for any other purpose.

I thank you.

Mr. POAGE. Thank you.

Now, I think we should call more than one name at a time, because those of you who are here next will probably be better notified by that method.

The next witness will be Mr. Oliver Evans, president of the Humane Society of the United States, and I understand he is accompanied by Cleveland Amory and Frank J. McMahon and Declan Hogan.

And next to them, we will hear Capt. Thomas S. Smith.

We will be glad to hear from you, Mr. Evans.

STATEMENT OF OLIVER EVANS, PRESIDENT, THE HUMANE SOCIETY OF THE UNITED STATES

Mr. EVANS. Mr. Chairman and members of the subcommittee, my name is Oliver Evans, and I am president of the Humane Society of the United States.

I had the privilege of testifying before this committee at the hearing held on September 2, 1965. I appreciate this opportunity to supplement the testimony I offered at that time.

I hope this hearing will lead us to the enactment of legislation which is so badly needed.

I want to comment briefly for the record. Rather than attempt comment or analysis of all of the bills that have been introduced since H.R. 9743 was introduced last summer by Congressman Joseph Y. Resnick, I have confined my testimony to a statement of the principles which the Humane Society of the United States recommends for incorporation in legislation, together with some of the considerations supporting them.

We recommend that the coverage of legislation such as we are considering here today be limited to the business of supplying animals to laboratories. To extend its coverage to medical and drug laboratories would open up a far larger and more complex area, one which we believe is best covered by legislation such as H.R. 10049 presently under consideration by the Public Health and Safety Subcommittee. In my written testimony I have attempted to point out the reasons why we are convinced that the legislation under consideration here should not extend beyond the delivery of animals to the laboratories. We strongly favor legislation to protect laboratory animals, but believe that the pending bills before this committee would be totally inadequate in this area.

As we see it, there are two basic legislative purposes which we feel must be served. The first is to stop the interstate shipment of stolen pets. Dealers must be required to maintain a system under which animals can be positively identified. Dogs and cats must be held by dealers for a minimum period of 5 days. Their establishments must be open to inspection on request by properly constituted authorities. Dealers must keep records so that the ownership of the animals handled by them can be traced back to the original private owner, breeder, or animal shelter. These provisions would virtually eliminate the thriving traffic in stolen pets. Unscrupulous dealers would be stopped from picking up animals one day for overnight delivery across State lines hundreds of miles away. Owners would have an opportunity to find and identify missing pets.

The second basic purpose which must be served is the humane care and handling of all animals within the dealers' establishments and during transportation to dealers' establishments and from them to laboratories. The dealers must observe minimum standards to be promulgated by the Secretary for veterinary supervision, sanitation, food, water, housing, and other environmental factors.

Dealers' establishments should be licensed; all premises, including auctions, where dealer-owned animals are kept should be included. Compliance with the law and the minimum standards promulgated by the Secretary should be enforced through a Federal inspectorate. Violations should be punishable by fine and by suspension or revocation of license. Hospitals and laboratories must be required to confine their purchases of animals to licensed dealers with a penalty of losing Government grants and contracts for failing to do so.

We see no reason for licensing laboratories. May I reiterate that the Humane Society of the United States strongly opposes the inclusion of laboratories, except as a buying agency through which to secure dealer compliance.

I shall not dwell upon the need for the kind of legislation that is being considered here today. The recent article in *Life* and the present testimony and that given last September by my colleagues in the Humane Society of the United States and by representatives of other humane organizations clearly show that existing State laws have failed to provide a remedy for the intolerable conditions which exist in the animal supply trade and that, as a result, Federal regulations and control offer the only possible solution.

I believe that the testimony of these various humane representatives indicate that the memberships of their societies and their affiliated society memberships represent more than 90 percent of the organized humane movement and that they support this position.

I thank you.

MR. POAGE. Thank you, Mr. Evans.

MR. EVANS. Thank you, again.

(A prepared statement to supplement Mr. Evans' oral testimony is as follows:)

STATEMENT OF OLIVER EVANS, PRESIDENT OF THE HUMANE SOCIETY OF THE UNITED STATES

In addition to my oral testimony, in this memorandum I wish to present reasons for excluding the care, housing, and use of animals in laboratories from the coverage of any bill to regulate the wholesale traffic in animals destined for laboratories.

Testimony at the hearing last September and in this hearing by officers of humane societies representing in their membership and in the membership of their affiliated societies more than 90 percent of those enrolled in the organized humane movement is in support of this exclusion.

We believe that the Department of Agriculture is well qualified through many years of experience to handle the administration of a law dealing with the interstate shipment and the purchase and sale of animals. Historically this Department has been the principal agency of government concerned with the conditions under which very large numbers of animals are shipped every year. The Department is equipped in both staff and experience to handle matters related to the health and well being of the animals destined for laboratories.

By contrast, the Department of Health, Education, and Welfare undoubtedly has the largest store of information and the greatest experience of any Government department relating to the care and use of animals in laboratories. Every year this Department uses several times more animals than any other department of Government—in fact more than all other departments and agencies combined.

This difference in knowledge and experience is important because the requirements for good care of animals in the hands of dealers differ radically from the requirements for good care for animals in laboratories.

The larger animals are seldom held by dealers for more than a few days. Monkeys are ordinarily shipped from abroad direct to the laboratory destination. Our investigations indicate that dogs and cats often remain in the hands of a dealer for only a few hours. The requirements for care under these circumstances are for veterinary examination, sanitation, humane treatment, food, water, et cetera. These requirements bear little relation to the conditions encountered in laboratories.

Similarly, the requirements for recordkeeping by dealers should be designed to assist owners in identifying and reclaiming lost dogs and cats as well as to prevent the bootleg traffic in stolen animals. Here again, the purposes to be served are very different than those in laboratories.

We feel that it goes without saying that the qualifications in education and training for inspectors of a dealer's establishment would be very different from those found desirable for inspectors of laboratories.

In laboratories, many of the problems are extremely complex. While some animals are held for only a short time prior to nonsurvival surgery, many stay

for months or even years. Clearly the standards that are called for under these conditions of long-term stay in such matters as cage size, light, heat, ventilation, exercise space, well balanced nutrition, et cetera should differ radically from those suitable for dealers. Besides these problems of basic care and environment, we also encounter whole new sets of problems in laboratories. If animal suffering in laboratories is to be relieved wherever possible, attention must be given to the proper use of pain relieving drugs, anesthetics, postoperative care, and continuous veterinary attendance. Another critical problem is found in the elimination of the use of animal numbers in excess of those required to achieve the experimental purpose. Another is found in the matter of information retrieval.

We have been told by scientists that it is faster and cheaper to repeat certain work than to secure the same information by searching the literature. Scientific information is being produced in such quantity that unless it is properly organized and stored in the near future, conditions will become even more chaotic than at present with a virtually complete breakdown in vitally needed communication. With the proper systemization and organization of data as it is produced, great savings in tax dollars as well as in animal use and suffering can be effected.

I have recited the foregoing in order to show that the problems of good care and the prevention of suffering of animals in laboratories require very different solutions from the problems encountered in regulating the traffic in animals destined for laboratories. For their successful solution, radical differences are required in the administrative structure of the agencies concerned in the qualifications of inspectors, as well as in all of the appropriate rules and regulations.

In addition to all of the reasons cited above for confining the legislation under consideration to the care, handling, and transportation of animals by dealers, I should also like to emphasize that even if it were decided to wrap up in one omnibus bill the regulation of the dealers and of the laboratories, the provisions relating to the laboratories found in the bills pending before this committee are totally inadequate. The laboratory conditions touched upon briefly above are highly complex and require treatment in legislation which will not only serve to eliminate or minimize the suffering of animals but will also do so in ways which will not impede the progress of scientific discovery. By itself, the mere authorization to the Secretary to promulgate humane standards to govern the handling of animals in research facilities is too brief and too general to be satisfactory. It becomes even more unsatisfactory when qualified by the proviso that this authority shall not be construed to authorize the Secretary to set standards for the handling of animals during the actual research or experimentation.

As mentioned above, there are many problems immediately related to research and experimentation which must be dealt with adequately if animal suffering is to be reduced wherever possible.

In summary and as set forth in my oral testimony, the Humane Society of the United States is strongly in favor of legislation to put an end to the interstate shipment of stolen animals and to regulate the establishments of animal dealers to insure the health, well-being, and safety of animals destined for research laboratories, but against the coverage of laboratories in any such legislation.

Thank you.

Mr. POAGE. Out next witness will be Capt. Thomas S. Smith, who will be followed by Dr. Hobbs.

We will be glad to hear from you now, Captain Smith.

STATEMENT OF THOMAS S. SMITH, CHIEF, INVESTIGATION DIVISION, THE MARYLAND STATE POLICE

Captain SMITH. Mr. Chairman and members of the committee, I am Capt. Thomas S. Smith, chief of the Investigation Division of the Maryland State Police. Of my 26 years service with the Maryland State Police, 24 have been spent in the criminal investigation field. In January 1962 I was appointed chief of the intelligence unit and in January 1965 chief of the investigations division. In 1951, while on

loan from the Maryland State Police, I had the honor of serving as an investigator for the Kefauver commission for the investigation of certain criminal activities.

It may seem strange to you that a man with my background of criminal investigation should be before you today testifying in favor of legislation which would protect pets from theft and cruelty. Information received from the Humane Society of the United States and investigations by my own department, however, have thoroughly convinced me that there exists in this country a shocking and unsavory business conducted by thoroughly unscrupulous persons.

A request from the Humane Society of the United States for our assistance in executing a search warrant and exposing a laboratory animal supply dealer in Maryland was forwarded to my office. Coincidentally we had received a complaint from a citizen living in the vicinity of the dealer and Corporal Mazzone of our department had already been assigned to investigate the case.

When it was determined that Declan Hogan, a special investigator for the HSUS, had already accumulated enough evidence to justify the issuance of a search warrant, I led a group of our most experienced men on a raid.

I wish to emphasize that these men were experienced criminal investigators. Men who are used to crimes of violence. We were shocked and appalled by what we found. I wish to submit these photographs to you. Some were taken by the State police photographer and others by a photographer from Life magazine. I shall try to describe the scene which the photographs depict.

In an unbelievable tangle of wrecked automobiles, trucks, body parts, and sheds were over 100 dogs. Dogs were confined in sheds. Dogs were chained to stakes. Dogs were jammed into wire enclosures. Dogs were chained to barrels. Dogs were chained to inadequate houses. Dogs were confined in chicken crates. Dogs were everywhere.

There were sick dogs confined with healthy dogs. There were dogs desperately licking at frozen water pans attempting to drink. There were dogs scratching and clawing at frozen pieces of bovine entrails, their only food.

I am not a veterinarian. It did not take a veterinarian, however, to determine that many dogs were emaciated and starving. Dogs had runny eyes. Dogs had discharge from their noses. Dogs removed from crates had been confined for so long they could not stand upon their feet when released. One dog was frozen to death in its crate.

The raid upon Brown was, at the request of the HSUS, followed by another on the farm of Clifford Hughes in Goldsboro, Md. Although the premises of Hughes' were not as bad as those of Brown's, conditions in some cases were very much the same as you can see from some of the photographs.

Both of these men were charged with cruelty. Hughes has been convicted and appealed. Lester Brown is awaiting trial.

When the Humane Society of the United States brought this matter to my attention, I was amazed at the extent of the traffic in live animals in and through the State of Maryland. Cases such as that of Lester Brown and Clifford Hughes are far more numerous than we had imagined. Operating secretly, transporting through the State dur-

ing the night, they have escaped public attention and often the notice of law enforcement agencies.

Just recently I had my men stop a truck bound from Virginia to Pennsylvania during the night which contained 47 dogs, many of which were purebreds. Because the dogs were in good health it was not possible to hold the driver.

A directive has been issued to every Maryland State Police barracks to report personally to me any dealers or animal-carrying vehicles in their districts. Frankly, gentlemen, I am horrified that these conditions I have described could ever have existed in Maryland and I guarantee, now that this matter has been brought to my attention, they will be eliminated.

Maryland, however, is only one State. What I have seen has convinced me that individual States would not be able to cope with a tremendous interstate business of laboratory animal supply.

As a career law enforcement officer I urge you to give serious consideration to Federal legislation to correct these abuses. Strong, effective legislation is badly needed. There is no place in our society today for such cruelty motivated by unscrupulous individuals for purely financial gain.

Thank you very much.

Mr. POAGE. Thank you very much, captain.

Dr. Hobbs will be our next witness, followed by Dr. Timrud.

We will be glad to hear from you now, Dr. Hobbs.

STATEMENT OF DR. CHARLES S. HOBBS, PRESIDENT, AMERICAN SOCIETY OF ANIMAL SCIENCE, AND HEAD, DEPARTMENT OF ANIMAL HUSBANDRY AND VETERINARY SCIENCE, UNIVERSITY OF TENNESSEE

Dr. HOBBS. Mr. Chairman, I am Dr. Charles S. Hobbs, head of the Animal Husbandry and Veterinary Science Department, University of Tennessee, representing the American Society of Animal Science, an organization of more than 3,000 American scientists of which I am president. These scientists are predominantly employed by land-grant colleges and experiment stations, the U.S. Department of Agriculture, and privately owned agri-business enterprises.

I appreciate the opportunity to appear here to offer testimony in opposition to the proposed legislation embodied in H.R. 9743, H.R. 10743, H.R. 12941, H.R. 12962, H.R. 13075, and related proposals.

Scientific advances in livestock production, made possible by the research, colleges teaching, and adult education efforts of our members, are largely responsible for the American livestock industry being able to provide 175 pounds of red meat per capita in 1964—an alltime record—in spite of our exploding population. In order to continue this progress, it is necessary that research continue to expand without unnecessary hinderance. In order to accomplish this, it is necessary that a climate prevail permitting the maximum research output per dollar of public funds expended.

We are strongly opposed to legislation of the type represented by these bills for two reasons. The first of these is because it singles out

thefts of animals for research purposes. Like all law-abiding Americans, we abhor thefts of animals or any other property for any reason. We feel, however, that protection of the owners of dogs, cats, and other animals from theft should rest on strict enforcement of existing laws and enactment of new legislation covering theft, if this be needed, rather than by the indirect approach of licensing research facilities and research-animal dealers.

Our second reason for opposing this legislation is specific in regard to the effects those bills including all research animals would have upon the research of our own members, which is largely with farm animals (cattle, swine, sheep, horses, and fur-bearing animals) and animals of species usually thought of as laboratory animals, including rats, mice, rabbits, and guinea pigs.

Livestock thefts has long been a serious criminal offense in most, if not all, States of the Union. To our knowledge, livestock thefts, under terms of current legislation, including brand registration in many States, is a problem of no greater magnitude than is theft of any other type of property. Thefts of farm or laboratory animals for research usage may have occurred but, if so, such thefts have never come to our attention and must be very rare.

Purchases of farm animals for research purposes are normally upon a rather specific basis. For example, monozygotic (identical) cattle twins are valuable research tools, but their birth is rare and unpredictable—seldom more than one pair in a single year on any one farm. In some cases a single male must be purchased for use in breeding experiments. Often it is necessary that this individual be of a specific bloodline. In other cases, it is necessary that animals of a specific breed, age, sex, weight, and condition be purchased. Grade standards for many classes of animals, especially those purchased for breeding experiments, have not been well developed and it is normally necessary for the researcher to purchase them from individual owners only after personal examination and individual negotiation. For each purchase of this kind there is often one potential supplier. In other cases where groups of standard weights and ages are needed, literally thousands of farmers, ranchers, or dealers are potential suppliers. Exact figures are not available but, taking beef cattle as an example, it is estimated that last year purchases for research purposes throughout the United States by State, Federal, and private institutions exceeded 20,000 head and that these may have come from in excess of 1,500 suppliers.

It is inconceivable to us that a licensing procedure for dealers could be made simple enough that these hundreds of individual suppliers could justify going to the expense of securing a license in order to sell the small number of animals usually involved in a given purchase. Probably only a small number of persons would secure licenses. The inevitable results would be: First, research workers would be unable to purchase the specific kinds of animals needed for particular experiments to the degree now possible. This would reduce the quality and effectiveness of the research. Second, since only a few dealers would be able to justify the expense of securing licenses, research animals would necessarily have to go through the additional middleman as compared to most transactions at the present time. This would in-

evitably add to the cost of such animals and would reduce research output per dollar expended.

It is our opinion that marketing, handling, and interstate movement of livestock, including those animals purchased for research purposes are now adequately regulated under existing provisions of the Packers and Stockyards Act, the brand inspection laws, other laws of the various States, and other applicable regulatory legislation. To the best of our knowledge, there is no demonstrated need for this legislation as it applies to farm animals used for research purposes. If enacted, it would hamper the effectiveness and increase the cost of livestock research. The inevitable result of its enactment would be the reduction in the scope and effectiveness of animal research. A long-time effect would be an impairment in the quality and amount of food available to the American public and of food and technical knowledge for export to hungry nations.

For these reasons we strongly oppose enactment of legislation such as H.R. 9743, H.R. 10743, H.R. 12488, H.R. 12962, H.R. 13075, and related proposals.

As a final observation, many of the organizations which have traditionally opposed animal research are supporting this legislation. A question in the minds of our members is whether this support is based, at least partially, on the belief that it would hamper and reduce the scope of animal research. Certainly this question deserves full consideration by your committee.

Mr. Chairman, we are grateful for the opportunity of appearing before this committee and expressing our views on this matter.

Mr. POAGE. Thank you.

I will again state for the record that any witness has permission to submit their full statement into the record.

Dr. Timrud is the next witness, who will be followed by Miss Brisk.

We will be glad to hear from you now Dr. Timrud.

STATEMENT OF DR. DAVID H. TIMRUD, UNIVERSITY PSYCHIATRIST, PRINCETON UNIVERSITY

Dr. TIMRUD. Mr. Chairman and members of the committee. Thank you. My name is David H. Timrud, and I work at Princeton University, where I am the university psychiatrist.

I appear before this committee as a private citizen, not as a physician nor as a representative of the university at which I work. It is my hope that the information I have to present may be worthy of your attention and useful in your deliberations.

Our dog, or more appropriately, my son's dog, disappeared last October. After a thorough, prolonged, and fruitless search I had to write my son that the dog he had chosen from the final litter of our family pet, the amiable companion he had raised from birth, was almost certainly stolen. The young man is a paratrooper in an airborne unit overseas. When he comes home later this year, his service completed, something live and joyous, a part of our lives together, will be forever gone. This need not have been.

A dog's principal vulnerability to theft is the ease with which he can be stripped of his identification. With his license tag and identity

disk removed he has no name and he has no home. He becomes the property of whoever has physical possession of him. But, if he is permanently identified by an indelible tattoo with a number that belongs solely to his owner, and if that number is filed in a central registry with his owner's name and address, then he has his name and he has his home. He is clearly the missing pet of someone who can be readily located.

I proposed the feasibility of such a tattoo and registry to a member of this committee last fall. Now, I can report that I have implemented this proposal by inaugurating the National Dog Registry in January of this year.

Tattooing is as ancient as man and registries have existed for millennia. What may be unique is the implementation of these ancient devices as put forward by the National Dog Registry.

The dog owner has his social security number tattooed in the right groin of his dog. This is a number the dog owner already has, which is his alone, and will remain unchanged for all of his life.

After the dog is thus tattooed the owner files this number, his name, address, and phone number with the National Dog Registry, Box 55, Stanton, N.J., along with a \$3 registration fee which, hopefully, will cover the costs of maintaining the registration for a 2 year period. The registration renewal fee will be \$2 every 2 years. The National Dog Registry notifies the owner when it is informed that a dog bearing his social security number has been found. The owner then undertakes to recover his dog.

Dogs are stolen for sale to laboratories. If this tattoo and registry is used by dog owners then laboratory workers will have less cause to wonder whether a given dog may be someone's stolen pet. The 1,500 laboratories in the United States using animals have been notified of this tattoo and supplied with the address and phone number of the National Dog Registry—as in the appended announcement.

The attorneys general of 48 States have been asked to bring this announcement to the attention of their law enforcement agencies. Dogs thus tattooed belong to someone and can be identified as the property of a particular individual. All States have penalties for receiving, harboring, or transmitting stolen property. I sometime regret that the frontier penalty for cattle rustlers and horse thieves is not applied to dog thieves.

I do not know how many dog owners will wish to have their dogs thus tattooed and to avail themselves of the services of the National Dog Registry. For those who do, their dogs will be less vulnerable to theft and loss. For those who do not, the need for the kind of protective legislation this committee is considering will be even greater.

I thank the committee for this opportunity to be heard.

(Two leaflets submitted by Dr. Timrud entitled "Dog Registry Announcement" and "A Method To Protect Your Dog Against Theft," respectively, are as follows:)

NATIONAL DOG REGISTRY, *Stanton, N.J.*
DOG REGISTRY ANNOUNCEMENT

The National Dog Registry is now in operation. Its purpose is to reduce the traffic in stolen dogs, and to expedite the identification of lost, strayed, injured, or dead dogs.

Participating dog owners follow this procedure:

- (1) The owner has his social security number tattooed in the right groin of his dog.
- (2) He then files his number, name, and address with the National Dog Registry.

Anyone finding a dog so tattooed, alive or dead, or discovering himself in possession of such a dog, no matter how acquired, is requested to notify the National Dog Registry immediately, giving the tattoo number and a general description. The National Dog Registry will then promptly advise the owner whose responsibility it will be to take the necessary steps and to assume the expenses of recovering his dog. The National Dog Registry serves only as a channel through which the identifying information is filed and transmitted.

The National Dog Registry earnestly solicits your cooperation in helping return these singularly identifiable animals to their owners from whose care they were lost, strayed, or stolen. We also request that laboratories refuse to accept dogs who bear a scar in the right groin where a tattoo might have been obliterated, since it is a reasonable presumption that such an animal has been stolen.

NATIONAL DOG REGISTRY, *Stanton, N.J.*

A METHOD TO PROTECT YOUR DOG AGAINST THEFT

The National Dog Registry, inaugurated in January 1966, provides a way to help protect your dog against theft, to get him back quicker if he is lost.

The major difficulty in tracing a stolen or lost dog is that the dog's identification has been removed or lost. The problem is lost identity. The solution is permanent identification—and a central registry for that permanent identification.

The unique solution of the National Dog Registry is to have you make this permanent identification with a number that is yours already and will always be yours alone: your social security number.

This is the procedure:

1. Have your veterinary tattoo your social security number in the right groin of your dog.
2. Send this number, your name, address, and telephone number to: National Dog Registry, Box 55, Stanton, N.J., 08885, along with a \$3 registration fee. The registration is for 2 years and may be renewed every 2 years for a \$2 registration renewal fee.
3. You will receive a certificate of registration to acknowledge that your dog's tattoo is filed with the National Dog Registry.
4. If we are informed that a dog bearing your social security number tattoo has been found, you will be promptly notified so that you can take the necessary steps to recover your dog.

All dogs owned by you may be tattooed with your social security number for the one \$3 registration fee. We register your number. You know which dog or dogs are missing.

If you sell or transfer your dog notify the National Dog Registry. The new owner should then add a letter or his initials to the tattoo already present and reregister this new number under his name and address.

There are more than 1,500 laboratories across the United States which use animals in their research. These laboratories have been asked to notify the National Dog Registry should a dog bearing the social security number tattoo be delivered to them. Laboratories have also been asked to refuse to use dogs bearing a scar in the right groin where a tattoo might have been obliterated. Possession of such a dog constitutes the same presumptive proof of harboring stolen property as does possessing an automobile with the engine number filed off.

Animal dealers have been notified.

The attorneys general in 48 States have been asked to bring this tattoo and registry to the attention of their law enforcement branches. The police, both State and local, as well as State agents inspecting laboratories, will thus be on the lookout for identifiable stolen property—that is, a dog bearing a social security number tattoo in the right groin. The police, inspectors, and dog wardens can also more quickly and surely identify a dog thus tattooed if the dog is found lost, injured, or dead.

This social security number tattoo in no way supplants or supersedes local licensing, identity discs, or other identification. The social security number tattoo makes the description of your dog precise and unique rather than general. If, for instance, beagles look much alike, only your beagle carriers your social security number. The tattoo and registry with the National Dog Registry is in addition to, not instead of.

It is entirely voluntary.

REGISTRATION DATA

After your dog has been tattooed in the right groin with your social security number fill in the following information and mail, along with a \$3 registration fee, to National Dog Registry, Box 55, Stanton, N.J., 08885. Receipt of this data with accompanying registration fee will be acknowledged with a certificate of registration. Only applications accompanied with fee will be registered. This registration is valid for 2 years from date of receipt and is renewable every 2 years for a \$2 registration renewal fee. Notify the National Dog Registry promptly of any change in name, address, or phone number.

REGISTRATION BLANK

Your social security number tattooed in dog's right groin :-----

Your name and address :

Your telephone number : Area code (),-----

Mr. POAGE. Thank you very much, Dr. Timrud.

Miss Brisk is next; followed by Dr. Lehnhoff.

STATEMENT OF FAYE BRISK, DIRECTOR, ANIMAL RESCUE LEAGUE OF BERKS COUNTY, PA., BIRDSBORO, PA.

Miss BRISK. Mr. Chairman and members of the committee, thank you for giving me the opportunity to appear here today.

My name is Faye Brisk. I am a director of the Animal Rescue League of Berks County, near Reading, Pa.

When I appeared before this committee last September, I testified to the urgent need for Federal legislation to curb the theft of pets for research purposes and to provide for humane standards of handling and transportation.

Since then, a number of new bills have been introduced. The Animal Rescue League wishes to thank the chairman of this committee for introducing one of his own. All of these bills have merit. However, in any bill considered, the league would like to see two provisions included:

1. A requirement for a bill of sale for these animals;
2. A ban on cat and dog auctions.

Recent incidents illustrate how a complete bill of sale would serve to track down dog thieves:

In November, the Animal Rescue League located a black and white setter at a Maryland research institution. The setter was identified and claimed by a Virginia farmer who said it had been stolen from his property.

In December, an Irish setter, picked up by the league at a New York hospital, was reunited with a Philadelphia family.

In both instances, the dogs were sold to the hospitals by Pennsylvania dealers who said they had purchased them from other dealers.

There the trail ended. How the dogs got to a dealer in the first place is anybody's guess. A complete bill of sale on each dog would have provided the answer.

In another case, a child's pet, a purebred German shepherd named Duke, was sold to a dealer by a poundkeeper, despite the admitted fact that the poundkeeper knew that the dog belonged to someone and had a description of it.

The owner traced the dog to a Pennsylvania dealer who told him that he shipped dogs to 79 laboratories and clinics from the east coast to Kansas. The dealer said he had no idea to which Duke had gone.

This does not appear in my testimony. I could not see why these dogs could not be traced. Saturday night, I telephoned the Pennsylvania dealer, and I pointed out that if he kept accurate records required by Pennsylvania law he could easily locate the dog. The dealer told me that he recalled the case. The fact is that he even remembered the dog. It was a purebred German shepherd with sloppy ears. The ears had been broken at birth. He said that the Ohio dealer happened to be at his kennels, and he would talk with him about it, and call me back. That night he called me back at 10:30. He told me that he had never received the dog. "The Ohio dealer had put the dog to sleep."

Now, I have here a telegram which I received from the owner of this dog just this morning. The owner says that the Ohio dealer had shown him records of the dog being shipped to the Pennsylvania kennels along with a check signed by the kennel operator for \$800 for this one particular load of dogs.

Under the circumstances, how can this child's pet ever be found; how can any pet be found?

Another question: Why should an Ohio dealer go all the way to Pennsylvania to sell his dogs when there are so many Ohio laboratories eager to have them?

Not surprisingly, Duke was never found. A bill of sale would have traced him to the right laboratory and saved the owners a great deal of grief.

Mr. Chairman, during the past few months I have received many letters from people all over the country, indicating that their missing pets were actually stolen. Dog thieves—or "dog runners" as they are called in the trade—frequently operate in broad daylight, in plain disregard for local law.

For example, an Ohio family lost their pet white German shepherd. The dog's disappearance was a mystery until a neighbor found a dog trap near their fence.

A Pennsylvania woman writes that in a period of 3 weeks, some 30 pets were taken from her small community. Dog thieves had even cut leashes on back porches and in backyards.

And just a few weeks ago I received a letter from a patient in a New York hospital who was distressed because his children's pet had disappeared. The dog was wearing a license tag and nameplate giving the owner's address. A check of the Pennsylvania area where the dog had disappeared showed an unusually high concentration of animal dealers.

Through the years, these dealers have enjoyed a fair amount of protection. They can refuse admittance to their property. They put up "No Trespassing" signs. They travel the highways from midnight until dawn. Who is to know if their trucks are overloaded, if they are carrying sick or stolen animals?

Many of these animals are sold at auction which, unfortunately, have become a marketplace for thieves.

Recently, a Pennsylvania woman found her pet cat at an auction. She and her husband called the police. They were finally permitted to buy their cat back for the price of \$4.

An agent of the Animal Rescue League visited one of these Pennsylvania auctions. Here is what she saw:

Fifty to sixty dogs in pens and cages, some so sick with distemper they could not get up. They were moaning, frothing at the mouth, and shaking violently near convulsion.

Puppies with feet so red and infected they could not even stand on them.

A beagle so sick it rocked from side to side with pain.

A cat so ill its head was swollen almost the size of its body.

Mr. Chairman, one newspaper called the bills now before this committee "legislation with a heart."

Legislation "with a heart" would outlaw dog and cat auctions.

Thank you.

(The newspaper articles submitted may be found in the files of the committee. The letters and telegram follow:)

ST. LOUISVILLE, OHIO.

Miss FAYE BRISK,
Director, Animal Protective League,
Reading, Pa.

DEAR MISS BRISK: Pat Riley, in Newark, Ohio, has given us your name and address and suggested that we write you in the hope that you might be able to find our dog (picture enclosed). She is a female white German shepherd. Actually, she is a very light cream color, her back and ears were a little darker than the rest of her. Her nose was brownish pink, rather than black. She was between 1½ and 2 years old. She had never had pups and we believe she had been spayed, as she never showed any inclination toward wanting to breed. We found her when she was 6 to 8 months old, near our home, half starved and with her feet all raw and bleeding. She disappeared the week before Christmas. At that time, we knew nothing of this traffic in stolen dogs. Since then have come the newspapers and TV specials concerning this problem.

Last week we were informed that a neighbor of ours had found a dog trap just across the fence from our property. When he realized what it was, he tore it up. We tried to find the remains of this trap last Saturday, but apparently whoever had placed it there, apparently took it with him. We also heard that there is a large number of these dog traps around our county and that the dogs taken in them go to Mr. Anthony. We haven't been able to check these facts, but are passing them on to you for whatever help they may give you.

While we all loved her, "Boots" was our son's special pet (as you can see from the snapshot). She took every step he took and he has shed many a tear over losing her. She didn't make up readily with adults, but loved children.

I know this isn't much to go on but it might help.

I certainly hope this dirty business can be cleaned up soon—there are so many heartaches connected with it.

We will appreciate anything you can do to help us find our dog. It just makes me sick to think there is a possibility that she could end up in a laboratory to be experimented on.

Yours very truly,

LAURA WARTHEN
Mrs. Wm. H. Warthen.

MEADVILLE, PA.

Miss FAYE BRISK,
Animal Rescue League (Berks County),
Reading, Pa.

DEAR MISS BRISK: Probably the recent AP news item has swamped you with letters from heartbroken owners whose loved pets have been kidnaped for the laboratories.

Here in Meadville the last 2 weeks in August and first week in September there were some 30 pets taken. How can we tell? Well, of course, we can't. That's what they trade on. We can't tell who or what.

Only that leashes have been cut on back porches or backyards. Cut silently without outcry from the animals, dogs and cats alike. Or—if the TV is going at the moment possibly the outcry has been drowned out. Maybe tranquilizer darts? Who knows?

In my own case my cat, fat all-black "Mommy Girl," 9 years old. Pet by her own choice since she was never confined, was spayed, was not a wanderer. Let out on August 29, 1965, at the back door. Never reached the front porch. She liked people—too well. The theft was between 10:30 and 11. I searched with flashlight for her that same night through her two blocks of territory. No evidence of runover. No pickup of dead cat by the city.

She would not have been suitable for laboratory work partly because of her age. She had been spayed, all shots, once hit by a car and lost front lower teeth on broken jaw. Had white growth under tongue. Yet, she was a very happy old girl and ruler of the roost at home where her two 6-year-old "kittens" have not played since she left.

Our local humane society is swamped with requests as to what to do, how to even begin to fight this menace, or once the theft is accomplished, how to start tracing the animals.

If you have any ideas to pass on, we'd be so grateful.

The newspaper article mentioned a Mrs. Romelli, but failed to identify her by address or anything. Perhaps it would be in order to pass this letter on to her.

Thanks for listening to me.

Sincerely,

MARGARET E. RUDNAY.

[On the stationery of the Mount Sinai Hospital, New York City]

EAST STROUDSBURG, PA., *February 3, 1966.*

GENTLEMEN: While confined in the above hospital I read in a recent issue of Life your service in recovering stolen dogs.

I believe my English setter was stolen just prior to my entering this hospital—2 weeks ago.

Name, Spot: type, English setter (male): orange belted, pronounced brown spot on back and over one eye—hence name "Spot"; license, Monroe County 1965, Pa.: stolen, Route 191 north, 4 miles out of Stroudsburg.

He is not only a wonderful pet for the children but also a marvelous woodcock and grouse dog.

Anything you can do we would all appreciate.

FRED J. TITUS.

P.S.—He still may have attached to his collar a metal stamp giving my name and address which at that time was Milford, Pa.

POTTSTOWN, PA., *March 4, 1966.*

Miss FAYE BRISK,
 820 Connecticut Avenue,
 Washington, D.C.:

Pet cat lost, found, caged, for a sale at Gilbertsville, Pa., auction. Paid \$4.50 for his return. Injured, nose broken and blood in his mouth painful sight. Despite our efforts "Sailer" went wild; no longer our friendly cat. Success to the legislation.

Sincerely,

Mr. and Mrs. W. R. WHITLOCK.

Mr. PoAGE. Thank you very much, Miss Brisk.

Our next witness will be Dr. Lehnhoff, who will be followed by Dr. Visscher.

STATEMENT OF DR. HANNELORE LEHNHOFF, PHYSICIAN AND MEMBER OF THE HUMANE EDUCATION SOCIETY, KINGS PARK, N.Y.

Dr. LEHNHOFF. My name is Dr. Hannelore Lehnhoff. I live in Kings Park, N.Y. I am a physician and I am a member of the Humane Education Society.

Six years ago my German shepherd was stolen from my car. After that I gradually learned, that 100,000 dogs are stolen every year to supply research laboratories. Unfortunately, grant money indirectly supports this racket by giving money to these research laboratories to buy these stolen dogs. The heartbreak to a youngster, a lonely person, an entire family brought upon by such thievery cannot be described in words.

What happens to a dog the moment he is thrown into the truck headed for the camp of animal dealers is known to everybody. I wish to report from my personal experience having visited uncountable research laboratories as a physician.

Dogs who have been starved in the dealer's camp and exposed to cold or heat, and as a result have become diseased in various ways, are subjected to experiments.

Here is one we received from the dealer. This dog was hardly able to lift up his head.

Every scientist knows that a good experiment has to be carried out under the most controlled conditions. Take 20 dogs for an experiment, each dog diseased, some with worms or other parasites, some with mange, with distemper, with pneumonia, skin infections, and every possible ailment. How do we expect to get a workable result which will benefit science? After such an experiment the researcher might go on to human beings.

Dogs are housed in cages with a wire bottom. Here are pictures of these. They are so small, that a large dog cannot stand up and has to be bent in order to fit in. Here are two German shepherds bent in to fit into the cage. Most animals never are taken out for exercises. They stay in this cage until their feet are crippled and until their death. Most laboratories house the animals in rooms without windows.

Here are two pictures of them.

Animals are subjected to even major operations, without a physical examination and without them being bodily clean. After the operation they are thrown into their cages without any postoperative care, neither given relief from pain, nor water.

Again, such animals after operation [indicating photograph].

Quite often have I even seen two dogs in one cage. Smaller animals, starting from cats on are simply cramped into their quarters. The smallest possible cage—Econo cage—just to save a few cents. Very few laboratories supply resting boards for the animals. Just to save a few cents. Here are two rabbits put into a small cage.

Almost all animals lay on wire floor. The makers of these cages do not have any knowledge of animal behavior, because mammals in general are clean animals. They will use the same corner to eliminate. Thus, it is certainly not necessary to make the entire bottom of the cage out of wire.

Now, something in regard to this treatment. An animal, especially a higher animal such as a mammal is able to experience pain and to suffer emotionally. As scientific research can prove, it is the intellect, that separates man from animal, not the emotions. As a matter of fact, the emotional centers in the brain for fear, fright, rage, depression are just about the same size in the animal as in the human. A child has no intellect. But no one will argue that even the youngest infant is not able to experience fear, pain, and to suffer mentally. Just so is the animal.

Certain religious denominations claim the animal has no soul and, therefore, no after life. Would it then not be our duty to make this one short life of an animal comfortable?

And it is not our primary responsibility to treat those animals who have to give their life for our health and well-being with gratitude and treat them humanely?

From my own personal experience and comparison, I only know of one parallel suitable to fit of what happens in preresearch treatment: the German concentration camps.

Let me conclude and say that there is never any reason, any excuse of any justification to impose suffering, fear, and torture upon any creature able to consciously experience such fear, torture, and suffering.

The fact that there are now 19 bills introduced shows the deep concern and awareness of the House of Representatives. Therefore, I am convinced that you will report a bill out of committee which will provide for the most humane treatment of these animals in the dealer's camp as well as in the research laboratories.

(The photographs exhibited by Dr. Lehnhoff will be found in the files of the subcommittee.)

Mr. POAGE. Thank you very much.

Dr. LEHNHOFF. Thank you.

Mr. POAGE. Our next witness is Dr. Maurice B. Visscher; to be followed by Dr. William G. Kubicek.

We will be glad to hear from you now, Dr. Visscher.

STATEMENT OF DR. MAURICE B. VISSCHER, PRESIDENT, NATIONAL SOCIETY FOR MEDICAL RESEARCH

Dr. VISSCHER. Mr. Chairman and members of the committee. I am Maurice B. Visscher, professor of physiology at the University of Minnesota and president of the National Society for Medical Research, which is an organization representing approximately 1,200 national organizations, regional organizations and institutions concerned with biological research and teaching, including medical, agricultural, and many other fields.

On behalf on the National Society for Medical Research, I would like to say that we are very much in sympathy with the objectives of the Congressmen who have introduced the legislation under considera-

tion today. However, we are of the opinion that certain amendments to the major bills would be very desirable in order to accomplish the totality of the objectives which we believe you members of the U.S. Congress have in your minds.

We assume that four major assumptions will motivate you, as they do us:

First, we assume that the public desires have shown that dogs and cats will not be stolen for any purpose. In other words, we assume that pet stealing, for whatever reason, is very undesirable and must be stopped. However, we are not convinced and do not believe it to be true that pet stealing is exclusively or even predominantly for the purpose of selling animals to scientific laboratories. We know that there is pet stealing for hunting dogs, and other animal uses, and, therefore, we believe that the terms of any legislation which will be considered by you for passage should be across the board as to the regulation in interstate commerce of pet animals of this type.

Second, we assume that the American public does not want to have scientific research hampered unnecessarily, to no good purpose.

Third, we assume that the public wants dealers to treat animals humanely, as to housing, feed, care, and transportation, and we assume that they also want scientific institutions to do likewise. And there is legislation being considered in other committees of this Congress—legislation which would deal with these matters. And we understand that there will be new legislation proposed by the administration which will also deal with the most appropriate methods for insuring such care within laboratories.

It is for this reason that we would urge upon you quite strongly that you not duplicate the activities of one executive agency by another and urge you to consider the fact that in all likelihood it is the Department of Health, Education, and Welfare, through its Public Health Service and the National Institutes of Health that are most directly concerned with the housing and care in scientific institutions, of animals that will be used for scientific studies.

Fourth, we will assume that the public will not want to spend large sums of money on unnecessary regulation, and I call attention to the appendix to the document that you already have before which will show you the large number of species of animals that are used.

Thank you very much.

(The prepared statement submitted by Dr. Maurice B. Visscher, together with the attachments, follows:)

STATEMENT OF MAURICE B. VISSCHER, PRESIDENT, NATIONAL SOCIETY
FOR MEDICAL RESEARCH

The scientific community as a whole, I am sure, approves heartily of the basic objectives of the Congressmen who have introduced bills to protect owners of animals from theft and improper treatment. According to the evidence available such thefts of animals with resale to scientific laboratories has been extremely rare, but nevertheless it would provide protection against such occurrence and also against unjust accusation if all interstate commerce in dogs and cats were made subject to Federal control. Therefore, we hope that the Congress may enact sound legislation to regulate interstate commerce in dogs and cats.

I am going to speak primarily with regard to the alterations which should be made in a bill like H.R. 12488 in order to make it an effective and workable instrument to accomplish its objective. If such suggested changes are made the ends

would be achieved and the public interest in the progress of science in medicine, veterinary medicine, dentistry, pharmacy, dairy, poultry, and other animal husbandry, fisheries, wild life protection, and basic biological science would not be harmed.

The National Society for Medical Research is an organization devoted to public education with regard to the conditions essential to the progress of medical and related biological science. It has also served to promote teaching and research in those sciences in various ways. Its membership is primarily that of large organizations concerned professionally with medical and related biological sciences. It has approximately 1,200 society, organizational and institutional members, including among many others, the American Cancer Society, the American Heart Association, the American College of Surgeons, the American College of Physicians, the Federation of American Societies for Experimental Biology, the Pharmaceutical Manufacturers Association, the American Dental Association, the American Veterinary Medical Association, the Association of American Medical Colleges, the Association of Agricultural Station Directors, and the American Zoological Society. The individuals who are members of these constituent organizations comprise about a half million persons. The Council of the National Society for Medical Research consists of official representatives of its constituent national organizations and has the sole power to determine the policy of the organization as a whole. The Council of the NSMR met last on February 12, 1966, and after discussion authorized its officers to endorse the general position being presented at this time. This action was taken without a dissenting vote—a point deemed worthy of mention because it reflects the similarity of views of biologists in medicine, veterinary medicine, animal husbandry, zoology, dentistry, pharmacy, animal breeding, and many other related fields.

In speaking for the National Society for Medical Research I should like to make it very plain that the members of the societies and institutions which constitute the membership of NSMR are considering the impact of any proposed legislation upon the public welfare and not upon their personal convenience or preference. The biological science community desires that any legislation passed by the Congress shall be in the public interest. Our major fundamental assumptions are four. First, we assume that the public desires assurance that dogs and cats will not be stolen for any purpose, including their use in scientific laboratories. Second, we assume that the American public does not want to have scientific research hampered. Third, we assume that the public wants dealers to treat animals humanely as to housing, feeding, care, and transportation. Fourth, we assume that the public will not want to spend large sums of money upon regulating procedures which do not touch real problems.

The scientific community has always endorsed the above assumptions as highly desirable, even necessary, as conditions for effective and economical scientific work. As to their accomplishment in practice there have been some difficulties. It is for this reason that we approve of new legislation, if it is properly drawn and if it deals with the real rather than with hypothetical problems.

The great rise in use of dogs and cats in medical research, due mainly to the greatly enlarged Federal support of medical research in recent years, has introduced a problem. Contrary to the situation when support for medical research was small, there are now dealers who operate large operations crossing State lines, both in purchase and sale of dogs and cats. Formerly such animals were obtained for scientific study from animal pounds and from local dealers, whose total operations were subject to easier local control.

A very special problem exists concerning dogs and cats. They happen to be among the most suitable species of animal for many types of scientific study. Yet, contrary to the cases of such species as the mouse, the rat, the rabbit, the guinea pig, and the hamster, as examples of animals which are also very suitable for other types of study, the cost of raising dogs and cats specifically for scientific use is very great as compared with costs of procurement from pounds and from farmers who wish to dispose of excess numbers of such animals.

The cost of raising to maturity a dog suitable for scientific study is about 10 times the present cost of such an animal obtained through a dealer from a farmer. Consequently it is in the public interest to have scientists use animals purchased from farmers and unclaimed impounded dogs and cats as fully as possible. Every State should have laws making it mandatory for public pounds and any other animal shelter operating under police authority, to give animals

which would otherwise be uselessly destroyed to appropriate institutions for use in scientific study.

Because there is some danger that dogs and cats may be stolen for interstate commerce, we believe that Federal control in this area is appropriate. However, the same is not true for rats, mice, guinea pigs, frogs, fish, snakes, turtles, and other vertebrate animals. Consequently, since there is no evident abuse to regulate, there would seem to be no justification for spending public money on such regulation. There are, according to the best estimates about 37 million mice and 16 million rats used per year in scientific studies. Large numbers of other rodents are also used. There is no evidence that such animals are stolen or abused. To raise the cost of such animals by requiring that breeders should be regulated at the Federal level and that special records be kept for each animal would not be in the public interest, especially because it would be very expensive and could serve no possible useful purpose. It would only impede the biological teaching and research enterprise.

Likewise in the cases of cows, horses, chickens, or other birds used in agricultural research, or of lower vertebrates used in other scientific studies, evidence of need for special regulation has not been shown. Unless and until abuses correctable most effectively by Federal legislation have been demonstrated it would appear to be obvious that the public would be harmed by spending large sums of money and great amounts of manpower on special regulation.

In considering this entire matter it should be noted that general laws prohibiting large sums of money and great amounts of manpower on special regulation, and that there are, therefore, already mechanisms for punishing any criminal act that may be committed. Consequently, animals other than dogs and cats are not being left without protection.

There would seem also to be no indispensable service performed by having consumer institutions licensed by the Department of Agriculture, if the objective of the legislation is to prevent pet stealing, and to insure humane treatment of animals by dealers as to housing, care, and transportation in interstate commerce.

As to housing and care in scientific laboratories other mechanisms will serve better to insure uniformly high standards. The new American Association for Accreditation of Animal Laboratory Care, sponsored by major organizations concerned with animal housing and care in the scientific field is engaged in providing an inspection and accreditation system in this area, comparable to the work of the Joint Board for Hospital Accreditation in the human hospital field.

Within a short time this organization, American Association for Accreditation of Animal Laboratory Care, will have provided the mechanism for insuring proper housing and care for animals in all scientific laboratories. It may be noted that the Department of Health, Education, and Welfare is preparing a bill which will make accreditation of laboratories a prerequisite for research grants from agencies within HEW. It would seem contrary to public policy to have two Federal executive agencies charged with duplicating the same functions. Since the Department of Health, Education, and Welfare is more concerned than is Agriculture with support of research and teaching that involves the use of most laboratory animals it would appear that HEW would be more appropriate agency to determine systems of inspection and accreditation, and to promulgate appropriate standards.

The NSMR strongly urges that reference to animals other than dogs and cats be deleted from H.R. 12488, because it would impose a well-nigh impossible burden upon the Secretary of Agriculture to regulate traffic in fish, frogs, turtles, reptiles, birds, and the many other mammalian forms used in laboratories. It would also cost the public sums of money out of all proportion to any possible benefit to animal welfare, by increasing the cost of such animals. Appended to this statement is a list of different vertebrate animals employed in research supported by the National Heart Institute in 1949 to 1965. It will be evident that regulation of all commerce in these animals would be a herculean task.

In this connection it should be noted that the regulation of interstate traffic in living animals destined for use other than in scientific laboratories would also be very costly. Baby chicks for commercial and other uses, fish of various kinds for home aquariums, birds, and rabbits, all constitute examples of animals widely sold by dealers. If dealers in such animals who sell to scientific laboratories in interstate commerce should be regulated at the Federal level then surely all other such dealers should be likewise. Actually the chances for

abuse in commerce for other purposes are at least as great as they are for scientific use.

The license fees for dealers should not be so large as to drive small operators out of business. Nor should the penalties for infraction of rules be out of proportion to the character of the crime. Statutory rules should not make transportation by railroads, airlines and other regulated carriers impossible or inordinately expensive. Likewise, rules for the length of time a dealer must hold an animal for resale should probably not be made because they would be unnecessary if dealer licensing and recordkeeping were enforced. The absolute prohibition of purchase of dogs and cats at auctions in H.R. 9743 and similar bills appears to be improper because there is no reason why ownership of animals sold at auction cannot be properly verified.

The National Society for Medical Research recommends that legislation be passed which would incorporate modifications in H.R. 12488 and other bills covering commerce in dogs and cats so that the bill would read as follows:

A BILL To authorize the Secretary of Agriculture to regulate the transportation, purchase, sale, and handling of dogs and cats in commerce

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to protect the owners of dogs and cats from theft of such pets and to prevent the sale or use of stolen dogs and cats, it is essential to regulate the transportation, purchase, sale, or handling of dogs and cats.

SEC. 2. When used in this Act—

(a) The term "person" includes any individual partnership, association, or corporation.

(b) The term "Secretary" means the Secretary of Agriculture.

(c) The term "commerce" means commerce between any State, territory, or possession, or the District of Columbia, or Puerto Rico, and any place outside thereof; or between points within the same State, territory, or possession, or the District of Columbia, but through any place outside thereof; or within any territory or possession or the District of Columbia.

(d) The term "dog" means any live dog of the species (*Canis familiaris*).

(e) The term "cat" means any live domestic cat (*Felis catus*).

(f) The term "dealer" means any person who for profit, transports, buys or sells dogs and cats in commerce. Transport excludes common carriers otherwise regulated.

SEC. 3. The Secretary is authorized to promulgate humane standards to govern the handling and transportation of dogs and cats by dealers.

SEC. 4. The Secretary is hereby authorized and directed to issue licenses to dealers upon application therefor in such form and manner as prescribed by the Secretary and upon payment of the fee prescribed by the Secretary.

SEC. 5. All dogs and cats transported, purchased, or sold in commerce by any dealer shall be marked or identified, in such humane manner as the Secretary may prescribe.

SEC. 6. Dealers shall make and keep such records with respect to their purchase, sale, and transportation of dogs and cats as the Secretary may prescribe upon forms supplied by the Secretary and appropriate copies be returned to the Secretary. Such records shall be made available at all reasonable times to inspection by the Secretary or any person duly employed by him.

SEC. 7. The Secretary is authorized to cooperate with the officials of the various States or political subdivisions thereof in effectuating the purposes of this Act and of any State, local, or municipal legislation or ordinance on the same subject.

SEC. 8. The Secretary is authorized to promulgate such rules, regulations, and orders as he may deem necessary in order to effectuate the purposes of this Act.

SEC. 9. Any dealer who operates without a license from the Secretary issued pursuant to this Act or while such license is suspended or revoked, or who fails to obey a cease-and-desist order made by the Secretary under the provisions of this Act shall forfeit to the United States the sum of \$500 for each offense.

SEC. 10. In order to finance the administration of this Act, the Secretary shall charge, assess, and cause to be collected license fees not to exceed fifty dollars per year. All such fees shall be deposited in a fund which shall be available without fiscal year limitation for use in administering the provisions of this Act together with such funds as may be appropriated thereto and there is hereby

authorized to be appropriated such funds as Congress may from time to time provide.

SEC. 11. This Act shall take effect one hundred and eighty days after enactment.

COMPARATIVE, VETERINARY, AND PRIMATE CARDIOVASCULAR RESEARCH—A REVIEW OF RESEARCH GRANTS SUPPORTED BY THE NATIONAL HEART INSTITUTE, 1949 TO 1965

U.S. Department of Health, Education, and Welfare, Public Health Service,
National Institutes of Health

Phylum: Chordata

Subphylum: Urochordata (=Tunicata)

Ascidia atra Lesueur

Ascidia callosa

Boltenia villosa

Ciona intestinalis

Clavelina picta

Ecteinascidia turbinata

Pyura haustor

Styela gibbsii

Subphylum: Cephalochordata

Subphylum: Vertebrata

Class: Marsipobranchii (=Agnatha)

Subclass: Cyclostomata

Eptatretus stouti (i), California hagfish

Petromyzon marinus, sea lamprey *or* lamprey eel

Class: Selachi (=Chondropterygii, Chondrichthyes, Elasmobranchii)

Order: Pleurotremata (sharks, dogfishes, angel-fishes)

Carcharhinus leucas, lake shark

Carcharhinus nicaraguensis, Lake Nicaragua shark

Ginglymostoma cirratum, nurse shark

Mustelus canis, smooth dogfish

Negaprion brevirostris, lemon shark

Squalus acanthias, spiny dogfish

Triakis henlei, smooth hound

Triakis semifasciata (*or* *semifasciatus*), leopard shark

Order: Hypotremata (rays)

Raja, skate

Class: Pisces (bony fishes)

Subclass: Paleopterygii

Order: Chondrostei

Acipenser fulvescens, lake sturgeon

Polyodon spathula, paddlefish

Order: Cladistia

Polypertus, bichir

Subclass: Neopterygii (=Teleostei + Holostei)

Order: Protospondyli

Amia calva, bowfin

Order: Ginglymodi

Lepisosteus platostomum, shortnose gar

Order: Isospondyli

Salmo, salmon *or* trout

Order: Ostariophysii

Suborder: Cyprinoidea

Carassius (auratus), goldfish

Catostomus commersoni, white sucker

Cyprinus (carpio), carp

Ictiobus cyprinellus, bigmouth buffalofish

Suborder: Siluroidea (catfishes)

Ameiurus nebulosus, catfish

Order: Apodes (eels)

Anguilla japonica, Japanese eel

Gymnothorax funebris, green moray

Order : Anacanthini

Pollachius virens, pollack

Order : Percomorphi

Epinephelus striatus, Nassau grouper

Lepomis gibbosus, sunfish

Lutianus campechanus, red snapper

Lutianus griseus, gray snapper

Morone, bass

Mycteroperca tigris, tiger rockfish

Pomatomus saltatrix, bluefish

Pseudoscaphus guacamaia, rainbow parrotfish

Sphyrna barracuda, great barracuda

Tautoga onitis, blackfish

Order : Scleroparei

Myoxocephalus octodecimspinosus, sculpin

Myoxocephalus scorpius, sculpin

Order : Heterosomata

Paralichthys, flounder

Order : Haplodoci

Opsanus (tau), toadfish

Order : Pediculati

Lophius (piscatorius), goosefish

Order : Dipnoi

Pleuropterus, lungfish

Class : Amphibia

Order : Caudata

Ambystoma (=Amblystoma) (punctatum), mole salamander

Amphiuma means tridactylum, 3-toed Congo eel

Cryptobranchus alleganiensis, hellbender

Necturus (maculosus), mud puppy

Order : Salientia

Bufo marinus, marine toad

Rana, frog

Rana cancrivora, crab-eating frog

Rana catesbeiana, bullfrog

Rana clamitans, green frog

Rana pipiens, leopard frog

Order : Gymnophiona (caecilians)

Class : Reptilia

Order : Testudines (turtles)

Caretta (caretta), loggerhead turtle

Chelonia mydas, green turtle

Chrysemys picta

Gopherus polyphemus, land tortoise

Lepidochelys kempi, Redley turtle

Pseudemys elegans, red-eared slider turtle

Pseudemys scripta (troosti), slider turtle

Terrapene carolina, box turtle

Order : Crocodylia

Alligator

Alligator mississippiensis

Caiman sclerops, South American caiman

Order : Squamata

Suborder : Sauria (lizards)

Heloderma suspectum, Gila monster

Iguana

Suborder : Serpentes (snakes)

Crotalus, rattlesnake

Crotalus atrox, western diamondback rattlesnake

Crotalus basiliscus, rattlesnake

Class : Aves (birds)

Order : Struthioniformes

Struthio camelus australis, ostrich

Order : Rheiformes

Rhea americana, rhea

- Order : Casuariiformes
 - Dromiceius novaehollandiae*, emu
- Order : Sphenisciformes
 - Spheniscus humboldti*, Humboldt penguin
- Order : Pelecaniformes
 - Pelecanus occidentalis carolinensis*, brown pelican
 - Phalacrocorax auritus*, cormorant
- Order : Anseriformes
 - Anas*, duck
 - Anas platyrhynchos*, mallard duck
 - Anser*, goose
- Order : Galliformes
 - Coturnix*, quail
 - Coturnix coturnix japonica*, Japanese quail
 - Gallus (domesticus)*, fowl
 - Meleagris*, turkey
 - Phasianus colchicus*, pheasant
- Order : Charadriiformes
 - Larus argentatus*, herring gull
 - Larus delawarensis*, ringbill gull
- Order : Columbiformes
 - Columba*, pigeon
- Order : Aphodiformes
 - Apus*, swift
 - Trochilus*, hummingbird
- Order : Passeriformes
 - Dolichonyx oryzivorus*, bobolink
 - Passerculus sandwichensis*, Savannah sparrow
 - Piranga*, tanager
 - Turdus*, thrush
 - Zonotrichia albicollis*, white-throated sparrow
 - Zonotrichia leucophrys gambelii*, white-crowned sparrow
 - Family : Mniotiltidae (warblers)
- Class : Mammalia
 - Order : Monotremata
 - Tachyglossus (=Echidna) aculeatus*, Australian hedgehog *or* spiny anteater
 - Order : Marsupialia
 - Dama pademelon*, Kangaroo Island wallaby
 - Dasyurus cristicauda*, mulgara *or* crest-tailed marsupial-mouse
 - Didelphis (virginiana)*, opossum
 - Lasiorhinus latifrons*, hairy-nosed wombat
 - Macropus rufus*, red kangaroo
 - Macropus giganteus*, gray kangaroo
 - Thylogale eugenii*, pademelon wallaby
 - Wallabia bennetti*, Bennet's wallaby
 - Order : Insectivora
 - Sorex*, shrew
 - Order : Chiroptera
 - Eptesicus*, brown bat
 - Myotis*, brown bat
 - Myotis lucifugus*, vespertilionid bat
 - Noctilio labialis minor*, Central American bat
 - Order : Primates
 - Suborder : Prosimii
 - Galago crassicaudatus*, bush baby
 - Haplemur*
 - Lemur catta*
 - Lemur fulvus*
 - Lemur variegatus*
 - Per(i)odicticus potto*, potto
 - Propithecus verreauxi*, sifaka
 - Tupaia (glis)*, tree shrew
 - Suborder : Simiae
 - Aotes*, owl monkey
 - Ateles*, spider monkey

- Cebus, capuchin
- Cebus albifrons, capuchin
- Cercocebus albigena (johnstoni), mangabey
- Cercocebus galeritus, mangabey
- Cercopithecus, vervet
- Cercopithecus aethiops centralis, grivet
- Cercopithecus aethiops sabaeus, green monkey
- Cercopithecus ascanius (schmidti), guenon
- Cercopithecus denti, guenon
- Cercopithecus mitis, guenon
- Cercopithecus neglectus, guenon
- Cercopithecus pygerythrus, vervet
- Gorilla
- Hapale (=Callithrix), marmoset
- Hylobates, gibbon
- Hylobates lar, gibbon
- Hylobates pileatus, gibbon
- Lagothrix, woolly monkey
- Macaca irus, cynomolgus
- Macaca mulatta, macaque or rhesus
- Macaca nemestrina, pigtail
- Oedipomidas oedipus, pinche
- Pan (=Anthropopithecus; Troglodytes), chimpanzee
- Papio baboon
- Papio anubis, baboon
- Papio doguera, baboon
- Papio ursinus, baboon
- Pongo (=Simia) (pygmaeus), orangutan
- Saimiri (sciureus) (=Chrysothrix sciurea), squirrel monkey
- "monkey"
- Homo sapiens, man
- Order: Edentata
 - Dasypus, armadillo
 - Dasypus novemcinctus, Texas armadillo
- Order: Lagomorpha
 - Lepus, rabbit
- Order: Rodentia
 - Suborder: Sciuromorpha
 - Aplodontia, mountain beaver
 - Castor, beaver
 - Citellus (tridecemlineatus), (13-lined) ground squirrel
 - Cynomys, prairie dog
 - Dipodomys, kangaroo rat
 - Geomys, pocket gopher.
 - Marmota, woodchuck
 - Marmota monax, woodchuck
 - Sciurus, squirrel
 - Suborder: Myomorpha
 - Akodon, grass vole
 - Cricetus, hamster
 - Meriones, gerbil
 - Mus, house mouse
 - Mus, wild mouse
 - Onychomys torridus, grasshopper mouse
 - Phyllotis, pericote
 - Rattus, rat
 - Reithrodontomys raviventris halicoetes, harvest mouse
 - Sigmodon hispidus, cotton rat
 - Suborder: Hystricomorpha
 - Cavia, guinea pig
 - Chinchilla
 - Hystrix, porcupine
- Order: Cetacea
 - Balaenoptera, fin whale
 - Balaenoptera borealis, sei whale

Delphinus, dolphin
 Eschrichtius gibbosus, gray whale
 Orcinus, killer whale
 Phocaena, porpoise
 Physeter catadon (=catodon), sperm whale
 Sibbaldus, blue whale
 Tursiops, bottlenose dolphin
 Order: Carnivora
 Canis, dog
 Felis, cat
 Mustela, mink
 Procyon, raccoon
 Ursus, bear
 Order: Pinnipedia
 Mirounga, elephant seal
 Otaria, sea lion
 Phoca (vitulina), harbor seal
 Zalophus, California sea lion
 Order: Proboscidea
 Elephas, Asiatic elephant
 Loxodonta africana, African elephant
 Order: Sirenia
 Dugong
 Trichechus (latirostris), manatee
 Order: Perissodactyla
 Equus, horse
 Order: Arteriodactyla
 Suborder: Suiformes
 Sus, pig
 Hippopotamus
 Suborder: Tylopoda
 Camelus, camel
 Camelus bactrianus, Asiatic camel
 Camelus dromedarius, Arabian or Egyptian camel
 Lama, guanaco
 Lama glama, llama
 Lama pacos, alpaca
 Vicugna vicugna, vicuña
 Suborder: Ruminantia
 Bos, cattle
 Bos grunniens, yak
 Capra, goat
 Cervus, red deer
 Cervus nippon, sika deer
 Connochaetes, wild cow
 Giraffa, giraffe
 Odocoileus virginianus, white-tailed deer
 Ovis, sheep
 Pseudaxis hortulorum, Dybowski deer
 Syncerus, African buffalo

NATIONAL SOCIETY FOR MEDICAL RESEARCH,
 March 14, 1966.

Hon. W. R. POAGE,
Vice Chairman, Committee on Agriculture,
U.S. House of Representatives,
Washington, D.C.

MY DEAR CONGRESSMAN POAGE: Pursuant to your announcement that additional testimony for the March 7 and 8 hearings on H.R. 12488 would be accepted for the written record, I respectfully request that the attached statement be so included as an extension of my testimony. After hearing the testimony of Mr. Ralph Mayer of Minneapolis, I asked him where he was employed and he replied that it was in the Veterans' Administration hospital in Minne-

apolis. Upon my return to that city I verified that fact that he was so employed as an animal laboratory technician. Thereupon, I requested Dr. Donald G. McQuarrie, the director of the laboratory in which Mr. Mayer worked, to investigate the charges made by Mr. Ralph Mayer before your subcommittee and to prepare a report which I could provide for inclusion with the remainder of the testimony.

It seems important that this report by Dr. McQuarrie be incorporated in the printed record for two reasons: First, because the general public interest demands that the full truth be told; and second, because a slur against the very fine and dedicated professional and technical staff and facilities of a U.S. Veterans' hospital should not be allowed to go unchallenged.

I have myself, as a member of the dean's committee for the Minneapolis Veterans' Hospital, spent many hours during the last 15 years in the animal laboratories in question and I can assure you that no better facilities exist than those in the Minneapolis V.A. Hospital. I can also say from personal knowledge and observation that the staff of the laboratory consists of highly competent and dedicated persons. Accidents, such as postoperative evisceration occur, fortunately very rarely, even in the best human surgical services. To ascribe such surgical accidents to inhumanity is a positive slander. It would be a misfortune if your subcommittee based its conclusions on Mr. Mayer's charges without further investigation.

I would hope that your committee would give the testimony of Dr. McQuarrie very careful consideration.

Sincerely yours,

MAURICE B. VISSCHER, *President.*

VETERANS' ADMINISTRATION HOSPITAL,
Minneapolis, Minn., March 12, 1966.

MAURICE B. VISSCHER, Ph. D., M.D.,
Department of Physiology,
University of Minnesota College of Medicine,
Minneapolis, Minn.

DEAR DR. VISSCHER: As you know, we felt that the recent testimony given by Mr. Ralph Mayer in support of H.R. 12488 was an extremely biased and inaccurate picture of conditions in our laboratory. To leave such a gross misconception uncorrected would be unfair to the many people associated with the laboratory who labor not only to make it a scientifically productive endeavor, but who have made the welfare of the animals a primary concern.

I have prepared a statement in reply which is attached.

Sincerely,

DONALD G. MCQUARRIE, M.D., Ph. D.,
Director, Experimental Surgery.

STATEMENT IN REPLY TO TESTIMONY GIVEN BY MR. RALPH MAYER IN SUPPORT OF
H.R. 12488 ON MARCH 8, 1966¹

Dr. Maurice Visscher, chairman of the Department of Physiology, University of Minnesota, called our attention to the testimony given by one of our employees, Mr. Ralph Mayer, on Tuesday, March 8, 1966, in support of House Resolution 12488. We have the verbal report of this testimony as well as Mr. Mayer's notes. It is the feeling of the professional staff concerned with the laboratory, as well as many of the nonprofessional personnel with whom we have discussed this, that his testimony paints an incomplete and inaccurate picture of the conditions in our laboratory. As anyone knows, a strong bias in the selection of facts and a coloring in the words and emotions used to express half facts can completely obscure the real truth in any matter. Many people, from the director of the hospital, to professional personnel, to the many hard-working, dedicated people in the laboratory have given years of effort to improving animal care in our laboratory. Not only have people worked hard to solve the many perplexing riddles which take lives of patients, but there has been a continuous and dedicated effort to improve the level of day-

¹ See p. 121 for testimony of Ralph Mayer.

to-day animal care in our laboratories. This has consisted not only of efforts to improve our laboratory directly, but also efforts to improve the conditions of facilities in our dog suppliers. All suppliers of our laboratory must meet the approval of the Minnesota State Livestock Board (Minnesota Statute 1961, sec. 35.71). This means that to be licensed, they must show adequate humane provision for the animals in maintenance and transport. We feel that the level of care given to our animals is not only adequate but generally superior to that given dogs in the best private kennel facilities.

Against this background, it can be seen that we were really amazed when we became aware of the way Mr. Mayer's testimony came out. The testimony given by Mr. Mayer is an inaccurate representation of the conditions in this laboratory. Mr. Mayer has supplied us with a copy of a prepared statement from which he read. We have attached it (enclosure 1) just as he presented it to us. Editing notes are his. We believe that a paragraph-by-paragraph discussion of this statement will help to clarify each point.

Paragraph 1, page 1.—He states that he made suggestions with emphasis to his superiors to no avail. When I asked about what specific suggestions he had made, Mr. Mayer could only recall two. These were both made only once to our head animal attendant. The first was made in February 1965, in which he suggested that animals be watered more frequently. The large water pans in the cages are spillproof. They hold about 2 quarts. For a 40-pound dog, this would be 10 percent of his body weight. Compared to a 150-pound human, this would be equivalent to 15 pints of water per day. At the present time, the dogs are watered once a day during the winter and twice a day in the warmer seasons. His second suggestion was that a second course of deworming medicine be given to dogs found to have parasites. This is done when an animal is found to have a heavy infestation. However, as anyone familiar with veterinary medicine knows, it is virtually impossible to completely eliminate parasites from dogs. Mr. Mayer could not think of any other instances in which he had made suggestions to any of his superiors. At no time has he made any suggestions to Mr. Lyle Olson, the administrative assistant, or to myself, the professional director.

Paragraph 2, page 1.—The tone in the fifth line is not quite correct. There are no "favorite dogs" in the kennels. The animals kept in the larger pens are usually animals which are in the immediate postoperative care period. This allows closer attention to the dogs and affords a more quiet area. It should be noted that in the cage areas there are 158 cages which are very large, stainless steel cages. These cages are 30 inches wide, 36 inches high, and 36 inches deep. This allows a dog adequate room to stand up completely and to move about freely. These cages were specially designed by us as an improvement over dog cages available at the time of purchase. The company is now marketing these cages. This size is considerably larger than we have seen in private kennel facilities. A number of photographs of our animal facilities are attached (enclosure 2). These pictures show the inside and outside of the through-the-wall pens, the cages, showing size and construction, and the operating area.

Although we would like to do so, all dogs are not exercised every day. We attempt to exercise all dogs who are kept longer than 1 week on an every-other-day basis. In the cold Minnesota winters this cannot be out of doors. However, in the warmer weather, animals are exercised in the outdoor area we have constructed on the end of the building. The dogs are exercised on days other than when visitors are expected. Mr. Mayer's statement to the contrary is not true. We should emphasize, our laboratory and animal facilities are open to anyone who is interested in the facility. It is not necessary to make prior arrangements. We try to do no more than roll up the hoses and clear the floor of equipment before visitors are taken through the laboratory. We have no places to hide anything from view. We are proud of the facility.

Paragraph 3, page 1.—We are unable to document the specific event to which Mr. Mayer refers. In detail he tells me that in July or August 1964, a smaller dog which had been operated upon some 2 months previously was giving birth to some pups. He felt that the dog was sick with some ailment and should be sacrificed. The senior laboratory attendant felt that the dog could survive giving birth to the pups without the necessity of sacrificing it. Mr. Mayer states that the dog was seen by the senior man and the man in charge of the labora-

tory. In this specific instance, Mr. Mayer proved to be correct since the animal did die. As stated, there is no way of checking or documenting this instance.

Paragraph 1, page 2.—Mr. Mayer stated that very little postoperative care is given to the dogs. He apparently does not understand what he has personally been doing in caring for the animals. As a general program in our laboratory, dogs receive postoperative care adequate for the procedure that has been performed upon them. First of all, a considerable effort is made to prevent pneumonia in the dogs. This is the most frequent killer of dogs in the postoperative period. Prior to waking up, the air passages of the dog are cleared of any secretions in order to prevent obstruction. In the recovery area, the dog is placed on a slanted board (designed and built by our personnel) so that any secretions or vomitus will drain out without getting into their lungs. Antibiotics are given to the animals, as to people, when they are felt to be helpful. Dogs given narcotics in the postoperative period in the mistaken belief that they are helpful, are harmed rather than helped. Narcotics in a dog depresses the respirations so that it does not breathe deeply. Pneumonia occurs very frequently, and death is common. We do use general anesthesia or Amivar-vet (a powerful and effective pain killer and sedative) whenever we do any procedure which will be painful to an animal. We use as a criterion the estimate as to whether the similar procedure in a human would be painful.

Occasionally in the dog facility, as in clinical medical practice, a long abdominal wound will come apart and the animal eviscerate. This is secondary to problems in healing. In the event this is discovered, the dog is not allowed to suffer and is given a euthanasic agent as soon as possible.

Paragraph 2, page 2.—With regard to this, one of our staff does smoke a pipe. However, I doubt that he would risk contaminating a sterile surgical procedure to light his pipe. Frequently, in acute short-term experiments in which a dog will not wake up from its anesthesia, it is necessary to do something or give a drug and then wait to follow the result before proceeding. In these experiments, which are not sterile procedures, it is possible that an investigator may have stepped out to light a pipe during a waiting period without removing his gloves. It should be noted also that the statement "His dogs have a high mortality rate. Peritonitis is very common." is not true. In checking his records, the investigator found that he had not lost a single dog from peritonitis in survival experiments during the time of Mr. Mayer's employment. A few dogs had died, all from pneumonia.

The third and fourth paragraphs which Mr. Mayer crossed out and apparently did not give in the hearing do deserve some mention. First of all, every animal on arrival in our laboratory is kept in a quarantine kennel for 2 weeks. There, it is given an antiworm medication, antirabies vaccine and antistemper injections. Unfortunately, even in the best of animal-care circumstances, animals may maintain their infestation with parasites, despite medication.

Paragraph 5, page 2.—As is well known to everyone, the management of burns in adults and children is far from satisfactory. Anything that holds promise in preventing the consequences of a burn including infection which is so harmful to burned adults and children alike, deserves adequate investigation. This paragraph dealing with a recent burn experiment contains a number of rather gross inaccuracies. The study was conducted and carefully supervised by Dr. Leslie Zieve, the associate chief of staff for research. I have included a statement which he prepared for me.

"The burn experiment referred to was a short experiment to test the efficacy of some ointment preparations in preventing the effects of a mild burn including blistering and secondary infection. The experimental procedure was tested on four dogs before turning to humans. A first degree burn was made on four small areas of the skin anesthetized dogs and various ointments applied. A collar was placed on the dogs so they could not lick the area. Otherwise the dog was placed in its pen as usual. The control area became slightly infected with a thin surface film of exudate. The test areas were generally quite clean. Photographs were taken which show how superficial the lesions were and how little infection occurred. There were no 'pus pockets.' The burns on the human volunteers were more severe than on the dogs and some were also more severely infected. The dogs received the same treatment as the men."

Paragraph 1, page 3.—Mr. Mayer refers to three occasions when dogs outgrew the chains holding the number tag around their neck. These were long-

hair dogs. It is a circumstance which is regrettable when it occurs. It should be noted that whenever any of the laboratory attendants notice this they are supposed to replace the chain. This involves walking 50 feet at the most to get a new one. It should be noted that Mr. Mayer was in the dog care area at that time and it was part of his responsibility to notice that these chains had been outgrown. Our animal attendants are obligated to call any minor injuries and sick dogs to the attention of the animal quarters supervisor.

Paragraph 2, page 3.—In order to maintain sanitary conditions in the laboratory, we do use a wet cage technique. It is not difficult to imagine the odor if the urine and droppings were not washed away. If the cage dropping pan is washed, the dog is usually not removed from the cage. The cages are specially made so that the cage stands about 4 inches off the sluice pan. The personnel cleaning the cages avoid wetting the dogs. Occasionally a fine spray is produced when it is splashed off a portion of the cage. However, it is the rare exception when the dog gets wet. If the cage portion is to be cleaned, the animal is removed from the cage. At least monthly, the cages are all steam cleaned and sterilized.

Paragraph 3, page 3.—The circumstances surrounding the time when Mr. Mayer was called down for spending too much time watering the dogs needs some clarification. Mr. Mayer was called down, not for watering the dogs, but for not getting his share of the regular duties done while he took an inordinate amount of time to accomplish a very small amount of work. It takes 10 to 15 seconds per cage to fill the water pans. It should take at most 30 minutes to an hour to fill the water pans. At the time he was called down, he had spent most of the morning shift just watering the dogs.

Paragraph 4, page 3.—We have been aware since purchasing the large cages that the mesh in the bottom of the cages was too large for the comfort of the feet of small dogs. This was recognized before Mr. Mayer was employed here. In January 1964 the bottom grids of some cages were sent to a local manufacturer to have additional stainless steel ribs welded on. This proved to be a costly and slow hand process. Because of this, in January 1965 one-fourth-inch mesh screen was installed in *all* cages. This was initiated by Mr. Lyle Olson, our supervisor, before Mr. Mayer had ever become aware of the problem.

Paragraph 5, page 3.—This was crossed out. It had to do with an experiment in which animals were placed in parabiosis; that is, where they are connected side-to-side with each other. This only works in rats and mice. They establish a mutual blood circulation. This technique is useful in studying the immune aspects of organ transplantation. It is not painful to the animals, and if the animals are in-bred they can be maintained indefinitely in parabiosis and adapt very well to the circumstances.

Paragraph 1, page 4.—Mr. Mayer was apparently going to discuss distemper as a problem. This is a problem in dogs any place. We do give distemper vaccine to all animals on arrival, as mentioned previously. Unfortunately, this preventative measure is only partly effective. Antibiotics do not affect this disease so that we can treat it. The alternative is to try to prevent the spread of the disease into the main dog colony. To do this, we examine all of the dogs as they enter the quarantine area and isolate and observe all of those with suspicion of disease. Any of those who have the signs and symptoms of the disease are sacrificed. It is true that in one epidemic outbreak in our quarantine kennel, some 26 animals had to be sacrificed in a month period. It was evident from the incubation period that most of these animals were infected upon arrival.

Paragraph 2, page 4.—Some of the animals coming to our kennel are in an unhealthy state at the time of arrival. For the most part the dogs are stray dogs, abandoned by hunters or their owners, which have been picked up by the municipal dogcatchers who are our suppliers. They are held only the time prescribed by law before being brought to our isolation kennel. Virtually all dogs admitted to our kennels put on weight and show improvement while in our kennel. In a typical month, we find it necessary to sacrifice only one or two animals because of disease.

A few final comments are also necessary. According To Dr. Visscher's verbal report, Mr. Mayer made some references to "painful neurosurgical" procedures. He apparently was not at all familiar with neurosurgical techniques and an operation which involved the head seemed unusual to him on seeing it for the first time. I have asked Dr. Nicoloff, to prepare a statement which is attached as enclosure 3. Examination will show that the procedures he discussed were neither painful nor unusual.

In general, we feel that our laboratory is one which we would be proud to show to anyone at any time. Mrs. R. L. Dyce, a representative of the Animal Welfare League, of Washington, D.C., recently visited our facility. She expressed to us her satisfaction with our efforts. I am sure that if there were gross defects, she would have pointed them out. A newsletter from Pet Haven, Inc., dated August 17, 1965, says with regard to Mrs. Dyce's visit "we are glad to say that she found one hospital, Veterans, was fairly decent with an exercise space outside for airing their animals."

At the present time we have an animal care facility, which although not absolutely perfect, shows a good effort by the laboratory personnel. The people who work in the animal areas are interested in the welfare of the animals and attend to them with meticulous care. It is of interest to note the following: First, our laboratory uses approximately 650 to 700 dogs annually. Among all of these, Mr. Mayer could only find one or two episodes where he thought that we were lax. As a matter of fact, and for the record Mr. Mayer felt that any confusion should be cleared up as to the possible impression that cruelty was tolerated in our laboratory. He has voluntarily given me the letter (enclosure 4) which is attached to this reply. Second, we have successfully maintained dogs in a good state of health for as long as 10 years in this laboratory to follow the fate of implanted blood vessel substitutes. This is only possible in an exceptional animal facility. Third, maltreatment of animals in this laboratory is not tolerated. A predecessor of Mr. Mayer's was dismissed after 2 weeks when he was observed to jerk a dog roughly by the collar.

Again, we would extend an invitation to any or all who wish to visit our animal facility. This can be done any time without forewarning. We have many plans and are hoping for continued improvement in our animal laboratories. We have just completed a project which doubles the capacity of the ventilating and temperature control systems in the kennel. Plans for enlargement of our kennel capacity include utilization of large pens and more convenient exercise areas. Our limiting factor has been available funds. We will be happy to reply to any questions should they arise.

DONALD G. MCQUARRIE, M.D., Ph. D.

Director, Experimental Surgery.

There is a large gap in the knowledge of how chemical reactions that occur in the liver affect those of the brain. In patients that have severe liver disease there is a high incidence of "hepatic coma." This is a state where the patient's brain ceases to function properly and they have delusions, tremors, uncontrollable movements of their arms and legs or go into a profound coma, which usually progresses to death. It is felt that the excess ammonia which builds up in the blood because of inadequate elimination by the liver is an important factor. This excessive ammonia is thought to cause a disturbance in the chemical pathways that are used in the brain to produce the energy it requires to function properly. Since this is a common problem seen in patients who are suffering from liver disease it has warranted extensive research in many laboratories.

In order to obtain information relating to abnormalities that occur in the chemical pathways used to furnish energy to the brain, it is important to analyze the brain tissue immediately upon its removal. To obtain the brain tissue an operation exactly as done in humans is performed. The same type of instruments are used. The animals are anesthetized with an intravenous anesthetic agent. The head is shaved and washed with an antiseptic soap. The bone covering the top of the brain is removed to expose the brain. The skin is then sutured over the defect in the bone and the animal is allowed to awaken. For the next 2 to 3 days the animal is given as much food and water as he cares to have. During this time he is completely normal and shows no signs of suffering or pain. On the day of the experiment the animal is again given an intravenous anesthetic. During the infusion of ammonia-containing solutions into the arterial supply to the brain the previous skin incision is opened and the brain exposed. A portion of the brain is removed after which the animal is sacrificed using an intravenous medication. The brain specimen obtained is immediately frozen in liquid nitrogen and then analyzed to determine the concentration of the various enzymes and chemicals that are involved in furnishing energy for the brain to function properly. These compounds are also analyzed in the blood going to and from the brain.

An understanding of the mechanisms involved in the production of coma would be invaluable for the development of approaches to therapy. The implications of

such a study for human liver disease are vast. Many thousands of servicemen have been seriously ill with viral hepatitis which may end with coma and death. Cirrhosis of the liver which usually terminates with coma is a common disease among veterans. Our ignorance of the basic mechanisms of the coma has prevented a rational approach to therapy.

DEMETRE NICOLOFF, M.D.

MINNEAPOLIS, MINN., March 11, 1966.

Dr. McQUARRIE,
Director of Research Laboratories, Minneapolis Veterans' Administration Hospital.

Dr. McQUARRIE: I would like to add more to my testimony in support of bill 12488 for your information and for whoever else may be directly concerned. I have not seen anyone inflict pain upon a dog without a medical research reason. This means abuse by striking without reason, kicking, or any type of sadistic type punishment.

RALPH A. MAYER.

Mr. POAGE. Thank you very much.

Our next witness is Dr. William Kubicek, who will be followed by Miss Elizabeth Thorp and William Maloney of the Laboratory Animal Breeders Association.

We will be glad to hear from you now, Dr. Kubicek.

STATEMENT OF DR. WILLIAM G. KUBICEK, MINNESOTA CITIZENS COMMITTEE FOR HEALTH AND RESEARCH, MINNEAPOLIS, MINN.

Dr. KUBICEK. Mr. Chairman and members of the committee, I have some photographs here of our facilities at the University of Minnesota. You already have some similar photographs of the same facilities that were presented by Miss Stevens, and I should like to present these photographs as indications of some other things that these people neglect to photograph and mention when they are visiting the institution.

For example, they forgot to indicate that the ventilation is very great, or that there is complete air conditioning, with a complete air change many times per minute. It is never recirculated. All of the air is air conditioned, and it is temperature controlled and filtered.

They forget to mention that there is a full-time veterinarian, that there are glazed tile walls and floors, and sanitation, and that the cages are both cleaned and sterilized, that there is adequate food and stainless steel cages for the rabbits and the dogs and the cats, and so on.

And they forget to mention that sick and malnourished animals are of no value to investigators, and that they would not be there.

And I would like to submit these photographs.

(The photographs referred to will be found in the files of the subcommittee.)

Mr. KUBICEK. I am representing the Minnesota Citizens Committee for Health and Research, and I have the rank of professor at the University of Minnesota; and for the past 20 years, I have served as the chairman of the animal hospital committee where we procure animals. We have purchased, in that 20-year period, something like 80,000 dogs, without one single dog being found stolen—or cat—at the university. We would be willing to help draft legislation that

would meet some of the standards that are indicated in this bill, and we are certainly in favor of eliminating stolen animals.

The bill, H.R. 12488, implies:

(1) That there exists in the United States a commerce in stolen animals of such an extent that new Federal legislation is necessary.

(2) It further implies that there are not adequate Federal or State laws that cover the stealing, sale, purchase, or transportation of stolen animals, and, therefore, new Federal legislation is necessary.

(3) It also implies that the scientists of this country are involved directly or indirectly in the stealing and transportation of animals since stealing, transportation, and sale of animals for purposes other than research is not included in this bill. Thus, the transportation and sale of stolen animals for pets, for hunting, or for livestock is permitted under the terms of this bill.

Thus far there has not been any evidence presented by any recognized law enforcement agency that confirms the alleged commerce in stolen animals.

If the Justice Department or some other appropriate agency would produce evidence of dog and cat stealing of sufficient magnitude and involving a large enough number of States to result in a recommendation that special legislation is needed to cope with the problem, I believe that the scientists of this country would accept the decision. To date, the only evidence of extensive stealing of dogs and cats for sale to research institutions has been either hearsay evidence or a few isolated cases presented by the traditional enemies of animal research. Dramatic, but unfounded, allegations have been made of extensive stealing and commerce involving dogs and cats but little, if any, documented evidence has been presented.

Before the Congress of the United States considers passage of such a far-reaching and restrictive bill as H.R. 12488, the proper investigative and law enforcement agencies, both Federal and State, should be consulted.

I suggest that the Justice Department, or some other appropriate agency, be requested to determine:

A. If there is a large-scale commerce in stolen dogs, cats, and other animals used for research or other purposes: First, determine the extent of the stealing; and second, determine the areas and States involved.

B. Prepare a listing of the existing Federal laws and the laws for each State that pertain to stealing animals, the interstate commerce in stolen animals and the selling or purchase of said animals.

C. Request the Justice Department, or some other agency, to recommend any additional legislation needed in regard to this problem.

I believe this could be done in sufficient time to allow the passage of such a bill this year and would not delay such passage.

I wish to point out that the licensing and certification of research facilities would have no influence on the alleged thieves or dealers and

would only further hamper research with unnecessary redtape and useless reporting procedures. I further suggest that this part of the bill constitutes the real motives of the proponents of H.R. 12488. One key word in this bill is a clue to these motives. Section 8 contains the provisions that the research facility records shall be kept open to inspection by "any person authorized" by the Secretary. Use of the word, "authorized" by, rather than "employed" by the Secretary makes it possible for volunteers to perform this service with the full power of the Federal Government as their authority. The result would be that the enemies of medical research would become the "authorized" inspectors since they could argue that this would save the Government money by volunteering their services.

Proposed legislation relating to the care, use, and restriction of research on animals is contained in several other bills introduced in the Congress. If the only real objective of H.R. 12488 is to eliminate stealing of pets, the licensing and inspection of research facilities has no bearing on this problem and should be eliminated from this bill.

Mr. POAGE. The next witness is Miss Elizabeth Thorp.

I understood that Mr. Maloney was to appear with you.

Miss THORP. He was to have appeared and testify separately from me, but we were put on the list together.

Mr. POAGE. On this list is a joint presentation for the Laboratory Animal Breeders Association. You must understand that any group should not monopolize all of the time by putting a number of people on as witnesses. This is not any criticism of anyone who has testified, but it is perfectly obvious that all you would have to do is to put 12 or more witnesses on here and you have an hour or more time of the hearing; that is, if we let each group do that. I have thought that when we had some of these grouped together it was on the same subject and that they would be in conjunction with each other, but rather than unintentionally doing someone an injustice, I am going to suggest that hereafter when we have a group of this kind that we are going to hear from one witness; then, when we have completed our testimony, if there are those who have been here and still contend that they be allowed to testify, we will allow them to testify, even though somebody else has testified on the same subject.

So, you will proceed. We will hear Mr. Maloney after we have completed with the other witnesses, if we have the opportunity.

STATEMENT OF ELIZABETH SIMONSEN THORP, SIMONSEN LABORATORIES, REPRESENTING THE LABORATORY ANIMAL BREEDERS ASSOCIATION

Miss THORP. I am Elizabeth Simonsen Thorp, of Simonsen Laboratories, Inc., and a charter member and past president of the Laboratory Animal Breeders Association.

I am in agreement with portions of the bill now under consideration; namely, that the buyer-seller of the companionate species, dogs and cats, be licensed and controlled in such a way as to obviate possible irregularities in procurement, husbandry, and selling practices.

This bill, however, contends that licensing along with as yet undetermined regulations and fees would be required of all those who sell, transport, purchase, or receive animals for research and testing purposes.

Approximately, 61 million animals were used last year for research purposes, but no more than 1.6 percent of these vertebrate animals used in 1965 in all phases of biomedical research testing, and the development of new drugs in the United States, were dogs and cats. This bill, however, contains that licensing along with the determined regulations will be required of those who sell, transport, purchase, or receive animals for research and such purposes.

I would like to read the following table: Estimated laboratory animal consumption, in 1965, excluding the cold-blooded vertebrates, is as follows, in round figures: Mice, 37 million; rats, 16 million; guinea pigs, 2.5 million; hamsters, 3.3 million; rabbits, 1.5 million; dogs and cats, 1 million; other species, 100,000.

These figures show that this is a case of the tail of the dog wagging many mice.

It follows, then, that the breeder of laboratory animals, as well as the consumer of laboratory animals and the general public would be unnecessarily penalized for the alleged actions of a very few dealers in dogs and cats.

The labor cost to identify, individually, the weekly average of 36,000 laboratory animals that my company alone supplies to research scientists would have to be reflected in the price of these animals. This not only would be an unnecessary added cost to institutions and Government but would discomfort and unduly stress these animals, since one cannot simply collar a mouse and tattoo it.

The various species and strains of laboratory animals provided to the research community by the commercial laboratory animal breeders are bred specifically for research purposes under controlled conditions utilizing specialized techniques and facilities.

Animals of differing genetic backgrounds and varying states of contamination and infection are of no use to discerning investigators. While a dealer may collect and purchase animals from many sources, and then distribute them, a breeder has knowledge of the entire history of the animal he produces and sells. Breeders should not be identified as either purchasing animals for resale or selling animals for subsequent resale.

I realize that the producing of animals for research naturally is little understood by the general public, since our products and services are utilized only in the highly specialized biomedical areas. Should any of you be interested in further information regarding the business of laboratory animal production, the Laboratory Animal Breeders Association would welcome the opportunity to arrange tours of these establishments.

In closing, I should like to request your permission to enter into the record a short, prepared statement to further substantiate my testimony. I want to thank you for the opportunity to appear before you.

Mr. POAGE. Without objection, that may be done.

(The prepared statement with attached table submitted by Miss Elizabeth Simonsen Thorp follows:)

STATEMENT OF ELIZABETH S. THORP, SIMONSEN LABORATORIES, REPRESENTING THE
LABORATORY ANIMAL BREEDERS ASSOCIATION

The legislation proposed by H.R. 12488 and similar bills purport to be concerned with pet stealing. They are, however, not confined to this and contain restrictive legislation dealing with facilities and care of laboratory animals. If this legislation was confined to dog and cat stealing and unethical procedures by a few dealers in these animals, this would be an entirely different matter.

The fact that this legislation includes "and any other animals" means that it would be necessary for the legitimate animal producers as represented by the Laboratory Animal Breeders Association who are producing inbred strains for cancer research, special strains of mice, rats, hamsters, and guinea pigs would be subject to unnecessary licensing and expenditure in order to meet the demands of the medical research community.

As another example, one of the main producers of laboratory animals on the west coast is under contract with the National Institutes of Health to maintain certain trust stocks of the more important strains of the small laboratory animals used by many medical centers. This legislation would require licensing to ship the animals that are actually the property of the National Institutes of Health.

A further review of H.R. 12488 under consideration here definitely indicates that much has been added to it, not necessary to the control of those few dealers that have caused difficulty. The recent publicity in the general press has been greatly magnified and has given the general public the impression this is the rule rather than the exception.

The members of the Laboratory Animal Breeders Association have spent millions of dollars in establishing facilities to produce the common laboratory animals under disease-free conditions, optimum conditions of care, feeding, and environment thus resulting in a high-quality animal for medical research. There are many instances in which the producer of these types of animals has worked hand in hand with the research worker to assure that a high quality of care and facilities are being used for their product.

We have every confidence that the Congress of the United States will not pass legislation which will hinder medical and biological research so important to the health and welfare of the Nation. Additionally, the passage of this type of legislation restricts services and animals essential to all biomedical research.

The magnitude of this activity is indicated by the following table:

Estimated laboratory animal consumption, 1965, 1970
[In millions]

Breed	1965	1970	Breed	1965	1970
Mice.....	36.84	59.56	Rabbits.....	1.56	2.52
Rats.....	15.66	25.32	Exotic species.....	.12	.19
Guinea pigs.....	2.52	4.07			
Hamsters.....	3.30	5.34	Total.....	60.00	97.00

NOTE.—Dogs and cats used for research are estimated at 500,000 to 1,000,000 annually.

Source: Breeders and users of laboratory animals.

Mr. POAGE. Our next witness will be Dr. Irving J. Wolman, of Children's Hospital, Philadelphia.

I understand he is not present at the moment.

We will next hear from Dr. Lowell M. Greenbaum, president, New York State Society for Medical Research, who will be followed by Mrs. Bettijane Allen of the Animal Legal Protective Association of Virginia.

We will be glad to hear from you now, Dr. Greenbaum.

STATEMENT OF DR. LOWELL M. GREENBAUM, PRESIDENT, NEW YORK STATE SOCIETY FOR MEDICAL RESEARCH, NEW YORK, N.Y.

Dr. GREENBAUM. Mr. Chairman and members of the committee, The New York State Society for Medical Research would like to take this opportunity to inform the subcommittee that it agrees in spirit with the legislation introduced by Congressman Poage, Congressman Resnick, and others. Legislation which will provide a healthy climate for the transport of animals whether for sale, breeding, show or experimentation is an important moral obligation on the part of humanity. The time and effort spent by these legislators deserves our thanks. This society is particularly concerned with the transport of animals since it was designated by the State to transport animals within the State. Our society has always been concerned for the best possible animal care and has helped this bring about in the State by supporting passage of the Metcalf-Hatch Act. Consequently, we do know the benefits that legislators and scientists can accomplish when they work together.

In any area of health whether for man or animal there may be room for improvement. Transport of animals can always be improved. Our society has very carefully reviewed the Poage and Resnick bills with a positive eye rather than a negative one in order to aid in legislation which will prevent theft of any pet, dog, or cat for any use. The committee may be interested to know that for a number of years, our society has investigated complaints that a pet may have found its way into one of our member laboratories in New York City and environs. We have allowed owners to go directly into animal quarters to observe if their animal were present. In not one instance was any identification made. Nevertheless legislation to prevent even the rare instance of pet stealing should be supported provided persons responsible for the theft of any cat or dog for any use whatsoever be held responsible. Why should people who steal dogs and cats for kennels or pet shops be protected from the law as proposed by the current bills? Why are the medical institutions singled out as the guilty party?

In order to overcome this apparent inequity in the legislation and also to prevent undue restrictions on research and to make dealers meet certain standards, our society with its legal counsel has very carefully reviewed the Poage and Resnick bills and offers the following constructive points to subcommittee:

1. The reference to (a) the use of dogs and cats for purposes of research or experimentation; (b) persons or organizations engaged in using animals for research, and (c) research facility should be deleted.

Such references as now appear in these bills are discriminatory and undeserved. In singling out the research organization as a consumer, there is an inappropriate onus of wrongdoing pointed at the research community, when in fact the few instances at hand indicate dealer fault.

Moreover, these references are not in keeping with the true intent of these bills, namely, to prevent pet stealing and to guarantee the humane care and treatment of dogs and cats during their transportation and sale by commercial animal dealers, whatever the purpose.

It is evident that humane practices should apply to dealer operations regardless of the consumer, whether it be a research institution, a retail pet outlet, kennel, breeding farm, et cetera.

2. The requirement that a research facility be licensed in order to purchase dogs and cats from a commercial dealer is again discriminatory and again places an undeserved onus on these institutions. Also, it would locate within the Department of Agriculture the problem of licensing and regulating biomedical research facilities as well as those of other Government agencies.

3. The inclusion of "other animals" in Mr. Poage's bill, H.R. 12488, would create an unwieldy problem. It would encumber the Secretary of Agriculture with regulating the transport, sale, and handling of animals from frogs through livestock, whereas the motivation for this legislation stems directly from alleged instances of dog and cat stealing and maltreatment by dealers.

4. The definition of "dealer" should not include the term "compensation" since any humane organization or nonprofit group may be involved in transporting dogs and cats and expect compensation for their service. Also some statement should be made to exclude common carriers from such regulations because such carriers are otherwise regulated.

5. Stipulating the period a "dealer" must hold an animal after acquisition would be unduly costly to the dealer and to the consumer. But more important, it may impair the health of the animal.

6. With reference to H.R. 9743, the auction is a legitimate means of obtaining dogs and cats and there is no reason to prohibit either it or the purchase of animals of a desired weight. The humane handling of animals in this transaction would be guaranteed by the proposed legislation. Further, the auctioneer should furnish proof of title and the "dealer" be responsible by law for purchase from a legal owner.

7. "Dealer" license fee should not exceed \$50 per annum.

8. The prescribed 120 days for legislation to be effective after enactment is too soon. It is recommended that 180 days would permit sufficient time to study to promulgate desirable standards.

In addition to the above our society has approved the incorporation of recommendations by the National Society for Medical Research and the New York State Society for Medical Research with those of H.R. 12488 and H.R. 9743 in the form of a provisional draft for use by this committee. I hope the committee realizes the sincerity of the efforts that have been expended in bringing all of these points to the committee. Our society would be more than happy to comment on the draft of the final bill drawn by the committee counsel.

(The document entitled "A Provisional Bill" submitted by Dr. Greenbaum is as follows:)

A PROVISIONAL BILL APPROVED BY LEGISLATIVE COMMITTEE OF THE
NEW YORK STATE SOCIETY FOR MEDICAL RESEARCH

To authorize the Secretary of Agriculture to regulate the transportation, purchase, sale, and handling of dogs and cats in commerce

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to protect the owners of dogs and cats from theft of such pets and to prevent the sale or use of stolen dogs

and cats, it is essential to regulate the transportation, purchase, sale, or handling of dogs and cats.

SEC. 2. When used in this Act—

- (a) The term "person" includes any individual, partnership, association, or corporation.
- (b) The term "Secretary" means the Secretary of Agriculture.
- (c) The term "commerce" means commerce between any States, or the District of Columbia, or Puerto Rico.
- (d) The term "dog" means any live dog of the species (*Canis familiaris*).
- (e) The term "cat" means any live domestic cat (*Felis catus*).
- (f) The term "dealer" means any person who for profit, transports, buys, or sells dogs and cats in commerce. Transport excludes common carriers otherwise regulated.

SEC. 3. The Secretary is authorized to promulgate humane standards to govern the handling and transportation of dogs and cats by dealers.

SEC. 4. The Secretary is hereby authorized and directed to issue licenses to dealers upon application therefor in such form and manner as prescribed by the Secretary and upon payment of the fee prescribed by the Secretary.

SEC. 5. All dogs and cats transported, purchased, or sold in commerce by any dealer shall be marked or identified, in such humane manner as the Secretary may prescribe.

SEC. 6. Dealers shall make and keep such records with respect to their purchase, sale and transportation of dogs and cats as the Secretary may prescribe upon forms supplied by the Secretary and appropriate copies shall be returned to the Secretary. Such records shall be made available at all reasonable times to inspection by the Secretary or any person duly employed by him.

SEC. 7. The Secretary is authorized to cooperate with the officials of the various States or political subdivisions thereof in effectuating the purposes of this Act and of any State, local, or municipal legislation or ordinance on the same subject.

SEC. 8. The Secretary is authorized to promulgate such rules, regulations, and orders as he may deem necessary in order to effectuate the purposes of this Act.

SEC. 9. Any dealer who operates without a license from the Secretary issued pursuant to this Act or while such license is suspended or revoked, or who fails to obey a cease-and-desist order made by the Secretary under the provisions of this Act shall forfeit to the United States the sum of \$500 for each offense.

SEC. 10. In order to finance the administration of this Act, the Secretary shall charge, assess, and cause to be collected license fees not to exceed fifty dollars per year. All such fees shall be deposited in a fund which shall be available without fiscal year limitation for use in administering the provision of this Act together with such funds as may be appropriated thereto and there is hereby authorized to be appropriated such funds as Congress may from time to time provide.

SEC. 11. This Act shall take effect one hundred and eighty days after enactment.

Mr. POAGE. Thank you very much, Dr. Greenbaum.

Our next witness will be Mrs. Bettijane Allen, to be followed by Dr. Helen Taussig.

We will be glad to hear from you now, Mrs. Allen.

STATEMENT OF MRS. BETTIJANE ALLEN, ANIMAL LEGAL PROTECTION ASSOCIATION OF VIRGINIA

Mrs. ALLEN. Mr. Chairman and members of the committee.

I appreciate very much the opportunity to appear before you today to testify concerning legislation in the acquisition of, handling, transportation, and sale of dogs and cats to research institutions. The tremendous escalation in the use of these animals in laboratories—now estimated to be more than 2,250,000 a year for Federal grant research alone—has given birth to a new industry which we refer to as animal vending.

Most of my information comes from the personal experiences of those in our association; and we have found this to be a highly orga-

nized, million-dollar business. If we pinpointed every vendor on a map, there would barely be a spot to put your finger in the areas of laboratories and medical schools. If all of the humane societies took 1 week to inform the people in their areas about this, I am sure the public and the Bureau of Internal Revenue would be shocked at the money involved. The demand for animals—mostly dogs—is instiable. If I were a dog vendor, I could pick up \$500 in 1 day with 12 large dogs. The vendors acquire dogs and cats in any way they can; and, once the animal is taken from the street, yard, or pound, its brutal fate is shrouded in secrecy from the vendors' farms with their "No Trespassing" signs to the Government and private property of the laboratories where no outsider is permitted to enter.

Only last week our cruelty agent and myself were absolutely refused permission to go through the NIH animal center at Poolesville, Md., to look for a dog we had reason to believe had been delivered there a few days before. We had been searching for this particular dog for some time; and one answering the description was seen on a dog vendor's truck that had been stopped by the State Police. We also had a picture of another pet which had been brought to us by a family from a great distance away pleading with us to help them find their dog. A dog answering this description had been seen on another truck that had been stopped. We had driven all the way from Fairfax, Va., so Senator Claiborne Pell interceded in our behalf, but was given a firm "No." If humane workers cannot gain access to look for stolen pets, there is no hope for them. These animals are transported hundreds of miles so they cannot be found; and often the owner cannot travel great distances to check. We feel the vendors must have something to hide when they never sell their dogs in their own areas. Dogs from Virginia are transported to labs in Massachusetts, and Massachusetts dogs are sent to Illinois and Virginia. One commercial lab in this area told me that they would never buy local dogs from dealers. The dealers move the dogs at great inconvenience, so the return must be well worth the cost and trouble involved.

I feel sure that no research institution would knowingly accept a stolen animal, but in their constant purchases of vast quantities, they would find checking impossible under the present system without bills of sale. And, if by some miracle a dog is discovered in a research facility, it may—or more often may not—get out alive because of the embarrassment to the lab; and because of the subsequent boost such an incident gives to pending legislation. Opponents of these bills will point out during the hearings, I am sure, that few stolen animals have been found in any research lab. This is true, but it stems from the inability of anyone to get into these institutions to look for pets. I doubt that few labs would admit to having my pet or your pet within its walls waiting for experimentation. An NIH spokesman told me recently that the dog they released a few months ago didn't recognize its owner. My dog didn't recognize me for a few moments either when she escaped from a veterinarian's office. The experience had frightened her a great deal. And her experience was minute compared with that of a stolen pet from pickup date until delivery. You can imagine the state of shock of an animal that has been thrown into a car or truck, driven to a holding point, thrown into a gang cage

with very little, or no food or water, thrown again on a truck, transported miles to a laboratory, thrown on a scale, and then into another cage. We learned from NIH last week that 60 to 65 percent of the animals that come in are sick or get sick, and about 5 percent die. From the brutal treatment given them, I am sure the remainder are mentally abnormal or in a state of shock. We can imagine how much of the taxpayer's dollar must be spent to get the animal in shape to be used. The dogs that have been too badly mutilated during their incarceration are rejected, and usually sold by the vendor to medical schools which are not particular.

I have been told that most research institutions require occasional inspection of the dog and cat farms supplying them, but there is no inspection of the middle vendor supplying the farms, nor can they be sure where the initial vendor receives his dogs and cats. There are a number of smaller suppliers who go out on weekends and pick up a few dogs for extra money. They do not deliver to large farms, but rather to the farm suppliers. One large kennel, for instance, is supplied by a smaller dealer, who gets his dogs from different dog wardens. A pet held only a few hours and sold to a dog dealer, was technically stolen. The owner was not given the legally specified time to recover his pet. Once the dog enters the vendor's truck, its chances of ever seeing its owner again are one in a million. Incidentally, we have yet to see a dog vendor's holding place that is not dirty with gang cages filled with dogs of all kinds, pregnant, in season, with males of all sizes fighting. There is always a small empty pan of water or food.

Our organization knows the names and activities of small pet thieves operating in several areas, and we know that a large number of dogs are being stolen each day. Since most research groups contend that pet stealing is minimal, why do they object to legislation making the practice illegal? Any sound business is operated with bills of sale for purchases. And this law would assure them freedom from frantic owners searching for their pets.

I am sure we all agree that cruelty is immoral; and some say that cruelty is as bad for the perpetrator as it is for his victims, but a pet thief has no sensitivity. Only laws are going to protect the helpless animals. Our association wants to thank Congressman Poage and his committee members for their sincere efforts to outlaw pet thievery and its contingent evils.

Mr. POAGE. Thank you very much, Mrs. Allen.

Our next witness is Dr. Helen Taussig, to be followed by Dr. Frank Miller.

We will be glad to hear from you now, Dr. Taussig.

STATEMENT OF DR. HELEN B. TAUSSIG, PRESIDENT, AMERICAN HEART ASSOCIATION; PROFESSOR EMERITUS OF PEDIATRICS OF THE JOHNS HOPKINS SCHOOL OF MEDICINE

Dr. TAUSSIG. Mr. Chairman and members of the committee, I am Dr. Helen B. Taussig, president of the American Heart Association, professor emeritus of pediatrics of the Johns Hopkins School of Medicine. I am probably best known to you as codeveloper with the late

Dr. Alfred Blalock of the blue baby operation and am also known to most of you as the doctor who alerted the country to the dangers of thalidomide. I am here today to testify in behalf of the American Heart Association and the Johns Hopkins Medical Institutes.

First of all, let me assure you I am an animal lover. I have two dogs and a cat, and I have brought a few slides with me just to reassure you that I love my animals. Furthermore, I have had a beagle stolen and I am strongly in favor of laws which will lessen the stealing of pets, but to me the stealing of pets is the crime and not the stealing of pets for the purpose of medical research and experimentation. Indeed, I had a lovely beagle given to me and I was repeatedly told that my beagle was worth money and I had to be very careful not to have him stolen, particularly during the hunting season. I managed to keep him through one hunting season but lost him the next hunting season.

I am quite sure that he was stolen because he had an "I belong to" tag on his neck and what is more, the person who found him called my house and told me they had my dog. My maid immediately asked for the name and address where the dog was and told them that I would be out directly, and the reply was, "No, we do not live far, tell Dr. Taussig my husband will be glad to bring the dog to her when he returns at night," and that was the last I ever heard of my beagle. I do not for one instant think that he was sold for a mere \$2 or \$5 for use in an animal experimentation; that small dog was worth money and the person who stole him, sold him for money. He could easily have gotten \$50 for him, even without his pedigree. I truthfully do not think he was kept as a pet because if he had lived nearby and had been kept as a pet, I think within a few days he would have escaped and come home. To repeat, it is the stealing of dogs which is a crime, not the purpose for which they are stolen.

Let me assure you that I am interested in the humane care of animals, but humanity first and foremost concerns humans and one great reason for our difficulty at the present time is, the laws which have been passed which make it difficult for medical institutions and scientific research facilities to secure animals, which has promoted underground activity and disreputable animal farms. My major objection to the Resnick bill is that there is no indication given as to the nature of the regulations or who will enforce the regulations which the Secretary issues.

A commission should be set up and the composition of such a commission should be specific. The various groups interested in research and medical science and in the humane care of animals should be represented. Thus each of the following groups should be represented by a person appointed from the following institutions; namely, the U.S. Public Service, the National Institutes of Health, the dean of one leading medical school, the dean of one of the leading schools of public health, one of the leading research institutes, one from a leading dental school, one from the American Medical Association, one of the leading pharmaceutical companies (or the Pharmaceutical Manufacturers Association), one of the large private universities, a national educator from a prominent high school, a veterinarian from Government and one from the American Veterinary Medical Association, two members representative of national humane societies, and a representative of

the Animal Care Panel. This 14-man commission should determine the regulations and be responsible for the control of animals used in medical science, research, teaching, and training. Such a commission clearly belongs under the Department of Health, Education, and Welfare and not under the Department of Agriculture.

Such a commission, I believe the medical profession would endorse. The Resnick bill, however, in section 3 definitely states that it is unlawful for any research facility to purchase or transport dogs unless they have obtained a license and it is a totally open-ended bill as to what will be the regulations.

In section 4, the dealers must obtain a license from the Secretary but again that is open ended. Section 5 is quite reasonable. Section 6 and section 7 are also reasonable. Section 8 should be elaborated and, when various States in the United States are encouraged to adopt model pound laws, I think something should be put in concerning making model "pound" laws, enabling medical institutions and research scientists to purchase or obtain dogs from the pound. The pounds must, of course, be well-run model pounds and comply with certain standards. Members of the general public cannot be paid to bring animals to the pound. If the pound is well run according to high standards, such as is being proposed for the Prince Georges County Pound of Maryland, such animals should be available for medical research. The pounds are an excellent source of animals. Gentlemen, I do not know the number of pounds in the United States or the total number of dogs and cats that are put to death at the pounds without serving any useful purpose whatsoever, but I can give you the figures for Maryland.

In 1963, 115,293 dogs and cats were impounded in Maryland—slightly over one-half of these were dogs. In Baltimore City, 14,210 dogs and 2,058 cats were impounded. In Montgomery County, 6,617 dogs and 6,332 cats were impounded and of these 3,019 dogs and 5,264 cats were destroyed. The figures in Baltimore City included both dogs and cats supplied to the medical schools and research institutions, those returned to their owners, and those for which homes were found, so that only 6,027 dogs and 1,818 cats were destroyed.

From these figures it is clear that approximately one half of the animals collected, that is, 57,000 were dogs. Not all dogs are suitable for research but the Johns Hopkins Medical Institutes used 4,500 dogs last year and the University of Maryland approximately half that number. Thus the two medical schools used 6,800 dogs or approximately one-eighth of the dogs impounded.

On the basis of one small State with two medical schools and four metropolitan districts, you, gentlemen, can calculate the number of dogs which are destroyed in the pounds of the 50 States and 250 metropolitan districts in the United States. If these dogs are not sufficient for our needs, dogs should be bred for this purpose.

Gentlemen, it will be said that scientific research is expanding rapidly and more dogs will be needed. This is true but it is also true that the number of stray dogs is increasing rapidly in our rapidly expanding cities. For example, in 1963 the Prince Georges County pound impounded 7,000 dogs and 6,000 cats and 6,200 dogs and 5,161 cats were destroyed, whereas now in 1966 Prince Georges County faces a real problem, because 14,000 dogs were impounded last year. I do

not have the figure for cats but broadly speaking cats multiply as rapidly as dogs. Prince Georges County is trying to set up an ideal pound and release dogs and cats to medical research as is permitted by Baltimore City. In the great dog fight of 1950 the voters supported the medical and scientific institutions by 160,269 to 38,495, that is, more than 4 to 1, and I believe if the problem was placed squarely before the people of the United States, they too, would equally strongly support medical research, teaching and training and the advancement of science.

Returning to the bill, section 9 of the Resnick bill is reasonable, but dogs with license tags or dogs who are obviously well kept and appear to be owned but who have lost their tags should be held for 10 days or 2 weeks.

Section 10 should be deleted as it is difficult to know for what purpose animals are bought. Furthermore, if research institutes have a legitimate source for dogs, such a regulation is not necessary.

Section 11 has been covered in my recommendation that the rules and regulations and inspection be the charge of the special commission.

Section 12 through 14 will not be necessary if the commission develops rules and regulations, including penalties—otherwise a section on enforcement of the act may be necessary.

Section 16, I think, is probably not nearly carefully enough spelled out. The program will cost money and certainly it is reasonable to collect reasonable fees for licenses issued to dealers. I very much doubt having the fees deposited as miscellaneous receipts as the programs will cost more money than will be collected.

Finally, section 17 concerning the effective date: the effective date of 120 days from the enactment of the act leaves no time for the appointment of a commission, the setting up of standards, and although I do not suppose they will be inspecting all the dealers, they will still be issuing certificates for dealers engaged in commerce. As I say, there are 250 metropolitan areas, there must be at least 4 or 5 pounds outside each metropolitan area; many States will need to change their laws and there must be more than a thousand pounds that will have to have licenses.

Two thousand or more applications in 120 days, omitting the time it takes to set up the commission, set up the regulations, inspect the places, means that it would be utterly impossible to do it unless it were a complete farce; and that scientific work, teaching, the advancement of science, the teaching of science in the schools and in the universities, and also the advancement of medical research, would all grind to a standstill.

Gentlemen, it is for these reasons that I oppose the Resnick bill.

The Poage bill, H.R. 12488, has many of the objections in it which I have outlined in the Resnick bill and in addition it not only applies to the handling of dogs and cats but to all vertebrates, it means down to the lowest echelon, including salamanders. It is reasonable to have some regulation on the sale of rabbits, and yet, if anyone set out to catch the rabbits that go across my lawn and eat at my gardens, I would be grateful to them. I do not think the feeling is very strong against catching rabbits out in the country and bringing them into the medical

institutes, or the research institutes, or even selling them. I believe that most of the firms that raise animals for medical research—rabbits, hamsters, rats, or mice—are well-run institutions and do not need to come under these regulations. As far as I know there is no great feeling about frogs or of goldfish, nor are they inhumanely treated. Most frogs are pithed and are killed at the end of the experiment or demonstration.

The purchase of small animals presents no major problem. I know that at the Hopkins all small animals, rats, mice, guinea pigs, and hamsters, are purchased from licensed dealers, or special laboratories such as the Jackson Laboratory in Bar Harbor, Maine. This is cheaper than raising them ourselves. Fish and frogs are purchased from the Marine Biological Laboratories at Woods Hole, Mass., or special supply houses. I believe that most other medical institutions follow the same practice. Although we wish humane treatment of all animals, I do not believe that anyone is deeply concerned with cold-blooded vertebrates, nor do I believe that anyone in our country would feel it was necessary to license or certify a technician who is inoculating a guinea pig with material suspected of containing tubercle bacilli. Such tests are, of course, done throughout our country in the detection of tuberculosis.

As regards the use in colleges, my knowledge is limited. Dr. Gardner Moment, professor emeritus of biology at Goucher College, advised me that Goucher College uses a few rabbits—1 or 2 dozen per year—approximately 300 frogs, 200 rats, 75 mice, and some earthworms, and salamanders. All small animals are obtained through licensed dealers except for rabbits which are obtained from a local rabbit farm, and the salamanders are either caught by the investigator or purchased from a man in North Carolina who raises salamanders for laboratory use.

In conclusion, we are strongly in favor of the humane care of animals in the laboratories, but I still maintain that doctors are fundamentally kindly people; we are not sadistic—we do not undertake experiments for the opportunity to hurt animals; we undertake experiments to help man. The mishandling of animals really comes in the source from which animals are procured; for that, good permissive pound laws are the answer. Perhaps in the care given the animals before and after an experiment, for that, better animal quarters are the answer. Many of our medical institutes need money for renovation and reconstruction of the animal quarters. Hospital expenses have escalated, the building of hospitals is terrifically expensive, everything is wanted for patient care, and when we come to putting in requests for better animal quarters, that is the section that is likely to be knocked off the bill. The President's Commission on Heart Disease, Cancer, and Stroke recommended that \$5 million be made available for reconstruction and renovation, for the building of new animal quarters, and the building and construction of animal farms; that \$5 million be available for the first year, increasing to \$10 million in 5 years. Gentlemen, I really think that that sum of money is needed for the improvement of animal quarters, for the building of animal farms.

Gentlemen, this concludes my prepared testimony. If there are questions that I can answer, I shall be happy to do so.

Thank you for letting me present this testimony and I hope that it will be incorporated into the record.

Mr. POAGE. Thank you very much, Dr. Taussig.

We will now hear from Dr. Frank N. Miller, professor of pathology, George Washington University School of Medicine. Mrs. Ann Gough Hunter will follow Dr. Miller.

We will be glad to hear from you now, Dr. Miller.

**STATEMENT OF DR. FRANK N. MILLER, PROFESSOR OF PATHOLOGY,
THE GEORGE WASHINGTON UNIVERSITY SCHOOL OF MEDICINE
AND COUNCIL MEMBER OF THE NATIONAL SOCIETY FOR MEDICAL
RESEARCH FOR THE AMERICAN SOCIETY OF CLINICAL
PATHOLOGISTS**

Dr. MILLER. Mr. Chairman and members of the committee. I am Dr. Frank N. Miller, professor of pathology, the George Washington University School of Medicine, and council member of the National Society for Medical Research for the American Society of Clinical Pathologists.

I wish to thank you for this opportunity to appear. This is a personal statement and does not represent the official views of the university nor the society I represent.

The purpose of H.R. 12488 and related bills to protect pet owners from theft is laudable. Such thefts for any purpose are reprehensible. The increasing interstate commercial traffic in dogs, cats, and other animals make it a matter of Federal concern. Most scientific investigators would approve of the broad objectives of these bills.

However, there are certain aspects which are undesirable to the scientific community. These bills are discriminatory in that they apply only to the theft of animals for laboratory use. If it is a crime to steal pets for purposes of research and experimentation—and it certainly is—then it is a crime to steal a pet for any purpose.

The bills by their joint application to animal dealers and research facilities tend to imply collusion between dealers and scientific investigators in the procurement and use of stolen animals. No evidence exists of such a conspiracy, and the integrity of research workers should not be brought into question in this manner.

The requirements in the bills for the licensing and inspection of laboratories and for extensive recordkeeping in such facilities would not be in the public interest. In a free society freedom of the scientific imagination should be axiomatic. Scientific inquiry needs to be as free of control and censorship as the artistic imagination. Any legislation which restricts the untrammelled freedom of research activities, no matter how well intentioned, is undesirable. I do not mean to suggest that scientific workers are above all laws. H.R. 12488 and H.R. 9743 do contain a clause which denies the Secretary of Agriculture authority to set standards for the handling of animals during actual research or experimentation. However, their provisions for the licensing of research facilities, the charging of license fees, the authorization of the Secretary to set standards for the handling of animals at research facilities, and the requirements for detailed recordkeeping would impose burdensome restrictions on research workers. Time and money which could be better spent on experimental work for the public good would be wasted.

Because of these reservations with the bills in their present form, I wish to respectfully recommend that the members of the subcommittee consider the modifications in H.R. 12488 suggested at the close of the testimony of Dr. Maurice Visscher, president of the National Society for Medical Research. These modifications would cover thefts of dogs and cats for any purpose and require the licensing and regulation of animal dealers. They do not include such requirements for research facilities. With the incorporation of these suggested modifications, the purpose of the proposed bills would be achieved and the public welfare would be well served.

Mr. POAGE. Thank you very much, Dr. Miller.

We will be glad to hear from you now, Mrs. Hunter.

Mrs. Hunter will be followed by Dr. John H. Jardine.

STATEMENT OF MRS. ANN GOUGH HUNTER, DALLAS, TEX.

Mrs. HUNTER. Mr. Chairman and members of the committee. I am Ann Gough Hunter, Dallas, Tex. I am the founder and chairman of the board of the Society for Animal Protection. I am not representing any one society. I am simply here as an individual because compassion is my business.

After the Poage bill was introduced a short time ago, I called a meeting of all humanitarians, of people interested in humane legislation to come to the meeting. People came from all parts of Dallas County. It was an amazing turnout. We discussed these various bills, and I, personally, am supporting the Poage bill, and the majority of the people who came to the meeting are supporting the Poage bill, but we are perfectly willing and happy to have any legislation passed that will improve the condition of animals.

Now, a good deal has been said about pets, and the stealing of pets and pedigreed animals and hunting dogs. We are not interested in pedigreed dogs and stolen pets entirely. We feel that it is just as bad to visit cruelty on a mongrel cur that is homeless or a homeless cat—cruelty is cruelty, no matter what sort of animal is to suffer.

Now, the majority of the people at the meeting supported the Poage bill, voted to do so, and also we received a telegram from the parent county humane society saying that they were unanimously in favor of the Poage bill. A few thought that we should have a bill that has some stronger provisions for the protection of animals in laboratories from unnecessary pain—mind you, I say “unnecessary pain”; that is, they should be well taken care of before the experiments and they should be cared for after the experiments. If there is no hope for their recovery, they should be put to death immediately. If there is reason for their recovery, they should be given pain-killing drugs. A good many at the meeting felt that should be in any bill that was passed.

We feel that these animals that give their lives, their comfort to prolong our lives, to give us a better life, the least that we can do is to save them from unnecessary pain and suffering and to keep them in comfortable quarters before and after experimentation.

It does not have to be argued that they all are kept in comfortable cages. I know that they are not, and so do you.

Mr. POAGE. Thank you very much, Mrs. Hunter. We appreciate your coming here and testifying.

We will next hear from Dr. Jardine, who will be followed by Dr. Bernard Zimmermann. We will be glad to hear from you now, Dr. Jardine.

STATEMENT OF DR. JOHN H. JARDINE, ASSISTANT PROFESSOR, VETERINARY MEDICINE, UNIVERSITY OF TEXAS, M.D., ANDERSON HOSPITAL, HOUSTON, TEX.

Dr. JARDINE. Mr. Chairman and members of the committee, I am Dr. John H. Jardine, presently employed in the sovereign State of Texas, at the University of Texas in Anderson Hospital. I come before this committee as a private citizen—as a veterinarian who has to earn his livelihood in the field of animal husbandry.

There are several specific points that I would like to take issue with, Congressman Poage. However, I feel that these are quite satisfactorily taken care of by the good Dr. Maurice Visscher. I have a statement that I would like to read into the record, if I may.

There is a national need for quality laboratory animals for use in biomedical research, and I speak with particular reference to cancer research. The sources of animals are published in the National Academy of Sciences National Research Documents, No. 1191, under the heading, "Animals for Research."

Interstate and foreign shipment of animals is being accomplished in compliance with the National Academy of Sciences, National Research Council minimum standards for shipment of animals under Document No. 971 and under Small Laboratory Animals, Document No. 846. This has been carried out only with the cooperation of the licensed interstate and foreign customs agents and trade companies and carriers.

While I am an accredited veterinarian with the U.S. Department of Agriculture, in the State of Texas, I am familiar with the possible lack of stringent regulations governing the interstate transport of dogs. If I can quote, I believe that it requires only a health examination and a vaccination within the past 6 months. This is a quote from the Federal regulations governing interstate transportation of animals from the State of Texas. And again I speak specifically as to the cancer research, where such animals are quite in short supply and, in many cases, are not available locally.

There is a specific need for aid and financially supported laboratory animal centers, similar to those created under the U.S. Public Health Service. And I speak specifically of the regional parts, which would provide production and standardization of the domestic dogs and cats for use in biochemical research as well as other species.

Eight nations presently have started such pilot programs for the spectrum of laboratory animals. The United States has an agency under the National Academy of Sciences, National Research Council, the Institute of Laboratory Animal Research, which I feel should be expanded.

Not only would these laboratory animal regional centers provide animals which meet the accepted normal perimeters of biomedical re-

search but, with support by the Federal Government, would provide these animals at a reasonable cost, thereby eliminating the necessity to use pound or even stolen animals.

Since the Institute of Animal Researcher is sponsored by the National Academy of Sciences, and the National Research Council, it is logical to assume that we would sponsor such creative programs in conjunction with the Department of Health, Education, and Welfare, and the U.S. Department of Agriculture, thereby providing a coordinated effort to provide quality standardized animals for use in research.

Voluntary accreditation programs in compliance with the research institutes would serve to combat the use of unsuitable animals. And I speak here with reference to the American Association for the Accreditation of Laboratory Animal Care. Again, the animal care panel serves to train the animal technician and caretaker at the lay level and the American Council of Laboratory Animal Care serves to qualify and expand the professional skills of veterinarians engaged in biochemical research.

Thank you.

Mr. POAGE. Thank you very much.

Our next witness is Dr. Bernard Zimmermann, to be followed by Dr. Schneider. We will be glad to hear from you now, Dr. Zimmermann.

STATEMENT OF DR. BERNARD ZIMMERMANN, PROFESSOR AND CHAIRMAN, DEPARTMENT OF SURGERY, WEST VIRGINIA UNIVERSITY

Dr. ZIMMERMANN. Mr. Chairman and members of the committee, it is a privilege to present to you the views of the American Surgical Association, the oldest and most influential organization of surgical scientists in this country.

Since its founding in 1880 members of this association have been the prime movers in the historic events which caused the center of surgical progress to move from Europe to North America. Its members have included practically all the leaders whose accomplishments have gained for American surgery the position which it enjoys in the world today. You can be assured that such achievements would not have been possible without wisely planned and humanely executed animal experiments.

A surgical investigator has no interest in animals which have been abused, injured, frightened, or malnourished. His studies require performance, very exacting procedures, in many instances under more rigorous control than can be achieved in a hospital operating room. For subsequent observations to be meaningful, the animal must obviously live, eat, and perform normal activities without impairment by pain or unrelated debilitation. If this does not occur, the animal is promptly relieved of his discomfort.

The success which has resulted from this type of work in our century has surpassed the wildest hopes of previous generations. Many types of cancer of abdominal organs are now curable in the majority of instances because methods for removing, replacing, and redirecting:

portions of the digestive tract were worked out in animals. Peptic ulcer is almost a national disease. It affects our most productive people—doctors, as well as legislators, but very few die of this malady today. I wonder how many of our citizens know that present knowledge concerning the cause and treatment of ulcer involved the attention of some of the most brilliant scientists of our generation and the use of literally millions of dogs. Today, when operations on the lung are a matter of course, I find medical students incredulous when told that knowledge of the principles which would make it possible to operate within the chest was not achieved before the end of the First World War. You and I have had many friends who have required amputation or died suddenly of diseased blood vessels. Today most of these people can be treated by replacing their arteries with natural or synthetic materials. With a practically unlimited variety of substances potentially available, can you imagine how many animal studies were required to identify the very small number which would be tolerated by living tissues?

When I was a medical student a few of the outstanding physiologists in this country were studying the functions of the mammalian heart in isolated systems, and many who participated in these experiments talked about the day when we would know so much about the actions of the heart that we could make a machine to take care of its functions during an operation. Now such devices are performing daily in dozens of medical centers in this country, and thousands of children previously doomed to early death or a crippled existence will live normal lives.

There have been times in the course of surgical history when respected spokesmen expressed the doubt that substantial future progress was likely. This is not the case today, and the mood is one of great optimism based soundly on evidence from animal experimentation. It seems likely that before long we will be able to replace by transplantation vital tissues and organs which have been destroyed by disease. This is now already feasible to a limited extent with the kidney and some other tissues. Solution of the remaining problems involves a systematic study of an enormous number of genetic immunologic and mechanical factors which govern the acceptance of living tissue. Such studies are being done, but they will require many more animals than have ever been needed for comparable research in the past.

Let us emphasize again that poor care, inhumane handling and illicit methods for procurement can only hamper medical research. Many members of the American Surgical Association are privileged to be supervisors of imaginative, dedicated young men who as a part of their surgical training are spending a period of time in the laboratory working on these problems.

If, when they finish their training, they are as considerate of their patients as they are of their laboratory dogs, they will be very successful practitioners indeed. On the other hand, restrictive legislation which, with well-intentioned motives of protecting animals, would eliminate sources of supply or complicate procedure unnecessarily for laboratories would deal a crippling blow to the most promising outlook for medical advance that the world has yet known.

We would support, therefore, the spirit of H.R. 12488 but urge that controls on procurement and transportation be restricted to pet animals—that is dogs and cats so that the effectiveness of efforts are not diluted by attempts to keep records on an enormous number of other vertebrates which are used in research.

We use large numbers of possums supplied by local people. And I cannot imagine that we would find a licensed possum dealer. They are caught by the local people.

We see no necessity for requirements of certification and recordkeeping by laboratories in addition to dealers. This would be redundant, expensive, and not in the best interest of scientific progress or the use of public moneys. It is also our belief that purposes of any such legislation apply to procurement and transport of animals regardless of the use for which they are destined. Specific designation of experimental laboratories should, therefore, not be included in the language of the law which is enacted. In summary, this association would welcome legislation to prevent illicit traffic and provide for humane transportation. It strongly opposes measures which restrict legitimate sources of vitally needed animals or hampers the activity of well-regulated laboratories by unnecessary restraints.

Mr. POAGE. Thank you very much.

Our next witnesses is Dr. Howard A. Schneider, followed by Dr. Wolman.

We will be glad to hear from you now, Dr. Schneider.

**STATEMENT OF DR. HOWARD A. SCHNEIDER, MEMBER, INSTITUTE
FOR BIOMEDICAL RESEARCH, EDUCATION AND RESEARCH
FOUNDATION OF THE AMERICAN MEDICAL ASSOCIATION**

Dr. SCHNEIDER. Mr. Chairman and members of the committee, I am Dr. Howard A. Schneider, a scientist member of the Institute for Biomedical Research of the Education and Research Foundation of the American Medical Association.

As a scientist concerned with laboratory animals I am also a member of the Animal Care Panel, a national society wherein I join with almost 2,000 others in our common professional concerns with the production, care, and study of laboratory animals.

In appearing here today I am happy to respond to the invitation of the subcommittee and present the views of the Animal Care Panel on H.R. 12488 and its related bills.

Let me state at once, as unambiguously as I can, that the Animal Care Panel is for any bill which will help protect the owners of dogs and cats from the theft of their pets. This we take to be the main thrust of H.R. 12488 and in what follows I hope to respond to the subcommittee's interest and deal with those aspects of H.R. 12488 which appear to us to blunt that thrust and tend to blur and defeat its laudable purpose. There are two aspects of H.R. 12488 which we believe to be self-defeating to the bill.

1. The matter of "other animals," in addition to dogs and cats: The inclusion of "other animals" in H.R. 12488 is unnecessary and, because of the great burden it needlessly includes, diminishes greatly any hope

that feasible recordkeeping would easily provide the evidence for prosecution of violators of the provisions of this bill. Inclusion of "other animals" is unnecessary because such species, including mice, rats, guinea pigs, hamsters, rabbits, and so forth, are not objects of theft. There may be dognappers and catnappers, of small and really unknown numbers, but no one in his right mind is crying, "Mouse-napper." But if "mousenapper" is nonsense, mice are not. In 1965, for example, a survey estimates that 36,840,000 were used for research purposes. Yet section 7 of H.R. 12488 states, "All dogs, cats, and other animals delivered for transportation, transported, purchased, or sold in commerce to any dealer or research facilities shall be marked or identified in such humane manner as the Secretary may prescribe."

We do not know, really, how to mark feasibly or uncontestably identify the 100,000 or so dogs which might fall within this act, but the mind boggles at the task of marking and identifying millions of look-alike, white, pink-eyed mice. Doubt may, therefore, be raised whether section 7 of H.R. 12488 is capable of meaningful implementation for cats and dogs, but it is clearly unworkable for the more than 50 million rodents used annually and which fall under the act as now written.

On the grounds, therefore, of a lack of necessity (there are no "mousenappers") and of an inoperable and self-defeating extra burden imposed by the inclusion of the phrase "other animals," the Animal Care Panel respectfully suggests that all references to "other animals" be struck from H.R. 12488.

2. The matter of licensing research facilities as provided in section 3 in H.R. 12488: It must at once be confessed that the scientific community is upset and, to be candid, distressfully alarmed to find itself bracketed with thieves. Old ghosts are being stirred and the inference is all too easily and too carelessly drawn that the scientist stands in the shadows ready to pay the underworld catpaw who does his dirty business. This is fiction, pure fiction. There may be drama in such a portrayal, but it is all fictitious drama. The real world, I can assure you, is not so titillating, for there is serious work to be done in the house of medical science. The fact is that we are confronted by really two separate problems when we deal with laboratory animals. On the one hand we have the problem of laboratory animal care in the house of science itself. Here, "in the house," for more than 15 years the Animal Care Panel has been putting that house in order. Mr. Chairman, that house is in order and if there are those who would carp at that, let them come forward at another time and place to vent their concerns. Today, dealing with the problem of theft of dogs and cats, the Animal Care Panel applauds lines 2 to 4, page 4 of section 5 of H.R. 12499 which states:

Provided, however, That this authority shall not be construed to authorize the Secretary to set standards for the handling of these animals during the actual research or experimentation.

There is a principle, then, in H.R. 12488 which we believe to be a wise one; namely, that we are concerned, really, with arrangements in two separate areas: (1) inside the house of science and (2) outside the house of science. Inside the house, as I have said, we have things in order. It might next be said that what goes on outside the house

of science is not the scientist's rightful concern. Certainly he feels powerless to arrange that outside world to his own moral satisfaction. But the scientist, also, is not allowed so simple a solution. For, as scientists, we must reckon with the fact that the "outside" world of animal procurement for research has its final margin on the scientist's doorstep, the receiving room of the research facility. The Animal Care Panel has considered the implications of this area of contact between those two areas, within and without the house of science, and offers the following suggestion: Let all licensing of research facilities be struck from H.R. 12488, but retained for dealers to promote an orderly control of the traffic in cats and dogs for all purposes; and, in order to complete the chain of recordkeeping which is necessary for successful prosecution of offending dealers, let all research facilities be constrained to purchase solely from licensed dealers and keep record of such purchases available to inspectors of the Department of Agriculture, to permit the Department of Agriculture to monitor observance of this act, as it now monitors observance of the 28-hour law for cattle shipment by inspection of invoices.

3. Long-range solutions: H.R. 12488, modified as we have discussed above, would, we believe, come to grips with the present reality. If the presence of the biomedical research establishment at its present, and perhaps in the future, greater size, generates a market in dogs and cats, the Animal Care Panel has asked itself how, in the long run, can that market be satisfied to the moral satisfaction of all. There are, it seems to us, three possible avenues:

A. Regulation of dog and cat traffic by licensing, recordkeeping, setting of standards of trade and enforcement by a Federal agency such as the Department of Agriculture. This is the present reality we have been here discussing.

B. A second avenue is the obliteration of the research market for dogs and cats by statutory directed requisition of unwanted, unclaimed, and unlicensed dogs and cats collected from our city streets. Several States have such laws. If all States did, and the animals were truly made available, a few of our larger cities would supply the Nation's needs and the market in dogs and cats for research would disappear. The New York City ASPCA, for example, was custodian in 1964 of 273,261 animals. Only about 1 percent, or 2,162 cats and dogs, were successfully requisitioned by research facilities.

C. And, as a third possibility, consider setting up large regional breeding establishments to provide the needs of research. At the moment the problem is mainly an economic one. Further study is needed of this avenue of approach.

The subcommittee, in considering the problems of commercial traffic in cats and dogs, may wish to consider these suggestions which the Animal Care Panel has been honored to make.

Finally, allow me to repeat the offer of the Animal Care Panel, made to this subcommittee previously, to assist in all ways through its committees on animal transport, care, and facilities. Thank you.

Mr. POAGE. Thank you very much.

Our next witness is Dr. Irving J. Wolman, Children's Hospital, Philadelphia, Pa.

We will be glad to hear from you now.

STATEMENT OF IRVING J. WOLMAN, M.D., PROFESSOR OF PEDIATRICS AT THE UNIVERSITY OF PENNSYLVANIA AND REPRESENTATIVE OF THE AMERICAN PEDIATRIC SOCIETY

Dr. WOLMAN. Mr. Chairman, and other distinguished members of the committee, I am Irving J. Wolman, professor of pediatrics at the University of Pennsylvania and director of the clinical laboratories of the Children's Hospital of Philadelphia. I appear before this committee as the authorized representative of the American Pediatric Society. This is an organization to which belongs nearly every professor and associate professor of pediatrics in the medical schools of the United States, as well as nearly every director of pediatric research in the many children's hospitals of the United States. The American Pediatric Society has as one of its prime purposes the promoting of health and the saving of lives of our children, of whom 4 million new ones are born every year in the United States.

The American Pediatric Society is greatly concerned about the proposed legislation, because of the fear that in present form the restrictive clauses these contain will greatly and needlessly hamper advances in the medical studies of children. We fear, frankly, that many of the recommendations being proposed will prove to be very much more of a handicap than a help.

Over \$1.5 billion of U.S. money now goes into medical research every single year. It is imperative that every bit of this vast sum be spent as intelligently and efficiently as possible in fulfilling the wishes of the donors—namely to promote health and conquer disease. Medical research is very costly indeed. To add any legal requirements which will complicate research and raise its costs without at the same time being more than compensated for by benefits to the American public as a whole would certainly not be in the public interest.

We do appreciate the concern of the humane groups with respect to stolen pets, but some of the proposed legislative requirements which they are encouraging bring to mind the use of a heavy truck to carry a small load. As should be clear to any impartial observer, the evidence that the research facilities of our medical schools and hospitals are major outlets for stolen dogs and cats seems to be made up largely of innuendos. No investigative laboratory will deliberately accept such animals, not only because of moral and ethical reasons, but also because of the possibility that the occurrence might be the source of prejudiced publicity. Let us not forget that in percentages there are as many owners of pet cats and dogs among medical investigators and other laboratory personnel as in the population as a whole.

If in the wisdom of Congress it seems necessary to reinforce the present State and Federal laws now on the books with respect to stealing of personal property, including pets, why limit such legislation to biologic research facilities? In our experience, very few stolen pets end up in laboratories. Stolen pets may go in a variety of directions. Why should medical and biologic investigators be made the subject of discriminatory legislation? The improvement in the health of children by research study programs should be kept free from all but absolutely essential hindrances.

In my 5 minutes I would like to comment on, as an example, a few features of proposed bill H.R. 12488. In section 1, for example, why include "all other animals" when the ostensible purpose of this bill

is "to protect the owners of dogs and cats." Some of the other commentators today are expanding more fully on this most important point.

In section 3, why are research facilities limited to acquiring animals from dealers only? This would preclude acceptance of animals as gifts, a not infrequent occurrence. It may surprise some of the antivivisectionists here today to learn that many pet owners voluntarily bring forward their pets when no longer wanted to schools and hospitals, rather than heartlessly turning them out into the streets or farmlands as the majority of our fellow citizens like to do.

Section 12 proposes that as a penalty for a "willful" violation the Secretary of Agriculture may recommend that support funds to a research facility from any governmental agency may "be withdrawn for such period as the Secretary may specify." This penalty clause can make an entire research facility liable for such very stringent punishment, should one single irresponsible employee fail in proper discharge of his duties, even if he perhaps is demented or an agent provocateur.

Section 17 is frightening also. This provides that the administrative costs should be met by "reasonable fees." It actuality these fees may prove to be extremely costly. If that occurs, to divert appreciable fractions of research funds toward high license fees and other expensive clerical and supervisory purposes which are fundamentally not necessary, will be a detriment to the public interest—to say nothing of interfering with other aspects of the operations of investigational departments.

Finally, and to speak emotionally as well as logically, scientists resent, from the bottom of their hearts, their being singled out for restrictive legislation. H.R. 9743, H.R. 9750, H.R. 7312, and H.R. 12488 all single out the users of "experimental animals" as subjects of legislation. Regulations for protection of animals, animal care, and penalties against theft, if introduced, should be nondiscriminatory and more broadly inclusive.

The society appreciates this opportunity to express its comments, and trust they will be helpful to the deliberations of this congressional committee. We would like to add, in conclusion, that we are in total agreement especially with the views being expressed here today by Dr. Maurice Visscher of the National Society for Medical Research, Dr. Howard A. Schneider of the Animal Care Panel, Dr. Lowell M. Greenbaum of the New York State Society for Medical Research, Inc., and Dr. Bernard Zimmerman of the American Surgical Association.

Thank you.

Mr. POAGE. Thank you very much.

Now we have some witnesses who were listed on my list as parts of groups who have been represented, and I think that the only way that we can proceed is to give them 3 minutes each. We will first hear from Mr. Cleveland Amory, and then Mr. Maloney.

STATEMENT OF CLEVELAND AMORY, DIRECTOR, HUMANE SOCIETY OF THE UNITED STATES

Mr. AMORY. Mr. Chairman and members of the committee; the kind of opposition one finds to these bills is something. You have heard them all this morning—the animal care panel, who may be for the care of panels, but, certainly, not for the care of animals.

The doctors who say, "We approve of the objectives, and we approve the worthy ideal, however," and then, of course, they go on with the "buts" and "however"—a million dollars worth of them in fact—about the sum, curiously, those doctors you heard this morning received last year in Federal grants.

I have suggested that, for these sums, I believe that these doctors would, also, oppose the "second coming." I will amend this, however, I believe that they would approve only the objective and the worthy ideal of the "second coming."

Mr. Chairman, we are used to this kind of opposition, what is far harder to face in this long and often lonely fight for decency for dumb animals is the record, so far, of the Federal Government—one which has been characterized by an almost total lack, not only of humane understanding heart, but also of courage and even honesty.

I have had occasion to research in all kinds of animal welfare. And wherever one looks the story, so far as our Government is concerned, is the same.

One looks to the Bureau of Wildlife and Forests and Fisheries, and even to our so-called conservationist and what does one see? A long and sorry record for the support of the hunters, for the arms manufacturers, for the trappists and the trapmakers, the cruelest of all animal crimes.

One sees the kind of conservationist who defines conservation as the killing of the animal for the animal's own good.

One sees, too, the kind of Federal Government official who looks the other way when that most abominable of all barbarisms, bullfighting, comes first to television, and then to Texas, and, finally, we presume, to the White House lawn.

On the domestic scene, hearings are held on this subject of laboratory animals. These hearings, revealing tens of thousands and even millions of abuses, are published, and, right at the beginning, before one even get to the testimony on the legislation, there are reports from virtually every branch of our Government denouncing the legislation—first from the Health, Education, and Welfare Departments, next from the Surgeon General's Office, then from the Department of Agriculture, then the Department of the Army, and so on, on down through the National Aeronautics and Space Administration, the Veterans' Administration, and even the Bureau of the Budget. A 100-percent record, in other words, of inhumanity to man's fellow creatures on this earth.

Why, one may ask, why? Is it because, perhaps, the Government itself, is, in the entire laboratory picture, the biggest offender of all? Why is it that they oppose these bills? For exactly the same reason that the doctors oppose them. The Government itself, apparently, would like an unlimited carte blanche to test animals unfettered by the slightest humanitarian considerations, to test animals ad infinitum, to test, apparently, its veterans on animals, to test, apparently, its budget on animals, to test, apparently even its foreign policy on animals. Is it not time to stop this nonsense, to call a halt to this insanity?

Mr. Chairman, the fact that you are holding these hearings is in itself evidence that you realize the Federal Government can be some-

thing more than the incomprehensible, inhumane monster its record on this subject shows it so far to be.

But may I say in conclusion that I regard your pet-stealing as only a first step, that it should not, and must not, take the place of what must follow—a bill to get at the real roots, at the true source, of all of the animals' misery—the laboratory itself. I realize, Mr. Chairman, that your bill concerns itself with humane care and housing in the laboratories—and I commend this. But I must add that only when you have given us both your pet-stealing bill and a true laboratory bill, then, and only then, will you have established for the whole world to see the legal rights of the most oppressed of all of the world's oppressed—that you will have given, literally, voice to the voiceless.

Thank you.

Mr. POAGE. Thank you very much.

We will now hear from Mr. Maloney.

**STATEMENT OF WILLIAM T. MALONEY, EXECUTIVE SECRETARY,
LABORATORY ANIMAL BREEDERS ASSOCIATION, BOSTON, MASS.**

Mr. MALONEY. My name is William T. Maloney. I am the executive secretary of the Laboratory Animal Breeders Association, an organization of commercial breeders of laboratory animals for the Nation's research community.

Members of the Laboratory Animal Breeders Association breed approximately 70 percent of the laboratory animals raised commercially in the United States today. Established in 1957 with the specific purpose of raising the standards of production and care of laboratory animals, LABA has made vital contributions to the science of breeding specific strains and species of laboratory animals for researches.

While recognizing the needs of pet owners of dogs and cats, resale of their pets for research purposes as proposed by H.R. 12488, the association feels strongly that certain sections of the proposed legislation are too broad and will have deleterious effects on this Nation's research efforts. The association's basic objection is concerned with the definition outlined in section II of the proposed act.

In section II, paragraph (f), the term "animal" includes all vertebrate animals. If the purpose of this legislation is to protect the owners of the dogs and cats from the possibility of theft and resale of their pets, this definition is altogether too encompassing. In protecting something less than 1 million dogs and cats used by the research community in its investigation each year, the proposed legislation restricts the use of some 60 million other types and varieties of laboratory animals.

The marking or identifying each of these 60 million mice, rats, guinea pigs, and hamsters sold or transported each year, if physically possible, would necessitate a substantial increase in the costs of animals to the research community and would be an increase we do not feel is necessary.

The second point of opposition to the proposed legislation is found in paragraph (h) of section II—the definition of a dealer is completely unacceptable to the members of this organization.

With all due respect to the record dealers who serve an important function for the research community, a dealer in the true sense of the word is an individual who buys laboratory animals from a breeder

or other source and resells them to the research community, serving primarily as a commercial distributor.

The breeder on the other hand, is involved with the raising and maintaining and production of colonies of genetically defined and disease control of animals. The breeder has heavily invested in the most highly specialized facilities to produce specialized animals for the research community. Breeders have developed methods and techniques of producing and maintaining the colonies which are presently being utilized by the research community in the conduct of their investigations. The animals produced by the breeder is from a specific breeding colony and may be free of either all or specified pathogenic organisms or classified as a neutral biolaboratory animal in controlled environment.

Members of this organization are involved in these phases of the production of laboratory animals.

The association would like to express its appreciation for the opportunity to clarify these areas of the proposed legislation. It feels confident that the clarification of these issues will produce a better climate for the Nation's research investigators.

Thank you.

Mr. POAGE. Thank you, Mr. Maloney.

We have at least two more witnesses who, undoubtedly, anticipated being heard this morning. I would like for the members of the committee to have an opportunity to put questions, as they desire, but in the interests of time at this point, I think that we will now call Mr. Frank J. McMahon, director of field services for the Humane Society of the United States, who is here to appear this morning. We will be glad to hear from you now.

STATEMENT OF FRANK J. McMAHON, DIRECTOR OF FIELD SERVICES, THE HUMANE SOCIETY OF THE UNITED STATES

Mr. McMAHON. Mr. Chairman and members of the committee, thank you very much for allowing me to appear this morning. I will not take the 5 minutes allotted to me. I will confine myself to a very few statements. You have given us permission to introduce other statements. I have one here from Mrs. Hazel Wert, executive director of the Animal Rescue League of Berks County, Birdsboro, Pa., and one from Mrs. Fenby Webster, executive secretary, Wayside Waifs, Kansas City, Mo. And with Mrs. Webster's statement I am submitting several photographs to the committee.

You have heard the testimony of Captain Smith about two dog farm raids in the State of Maryland. This is one in Pleasantown, Kans. This man was keeping animals under the most appalling conditions as the photographs will show. He sells to national laboratories in Kansas City, Mo. It is a perfect example of interstate shipment.

I would like to comment very briefly on something that Dr. Helen Taussig brought up, with all respect to her. Mr. Maple, of the American SPCA, in New York City, testified before this group last year. I think that many missed the significance of his testimony. Of 273,261 animals taken in by the association the majority of which were dogs, the research institutions and hospitals in New York requisitioned, under their legal right, only 2,162 animals. That is 2,162 of the 273,261 animals. One institution alone used 500 animals a week.

Why does one New York institution continue to purchase these from a Pennsylvania dealer from \$16 to \$30 apiece, when they could obtain the animals right in New York for \$4 apiece? Why do they continue to do this? The answer we believe is quite obvious, that the animals used for research purposes end their days in public pounds which are sheltered, and are not just good subjects.

I, also, have an exhibit that I would like to present to the committee on the growing publicity and awareness of the public for this legislation and need of this legislation.

I have these clippings in one exhibit which I do not want in the record, which include newspaper articles from, at least, 26 States from national publications, such as *Life*, and the *National Observer*, the *New York Times*, and Walter Kronkite's TV show.

In conclusion, I would like any extra time that I may have to go to our next witness, who is Mr. Hogan.

After the hearings last year we realized that we would need more information for you. We hired a man and bought him a truck, and put him into the business of being a dog dealer. I think you will find his testimony very interesting.

Thank you very much.

(The prepared statement of Frank J. McMahon and the prepared statements of Hazel Wert and Mrs. Fenby Webster follow: The newspaper articles may be found in the files of the committee.)

STATEMENT OF HAZEL WERT, EXECUTIVE DIRECTOR, ANIMAL RESCUE LEAGUE OF BERKS COUNTY, BIRDSBORO, PA.

Mr. Chairman, a little over a year ago, the Animal Rescue League of Berks County, Pa., with the help of the Humane Society of the United States, exposed the Commonwealth of Pennsylvania as the east coast center of interstate traffic in cruelty and thefts of animals for research purposes.

This exposé, and subsequent investigations by the HSUS, led the entire Nation to question how these animals were being procured and how they were being treated by laboratory animal dealers.

Then Pennsylvania Legislature quickly passed a new dog law, requiring humane standard and regulating the transportation of dogs for research. However, this legislation does not help the rest of the country, and does not assure Pennsylvanians that stolen pets are not being brought into our State for research purposes. Furthermore, it is concerned with dogs only.

The league feels that this country urgently needs Federal legislation to protect all animals sold for research. The league also is in favor of licensing animal research laboratories.

However, the Animal Rescue League of Berks County is unalterably opposed to any provision calling for the inspection of animal housing in laboratories.

There is legislation pending before Congress now that deals with animal research laboratories exclusively. To include the laboratories in any animal dealer's bill would only confuse the issue and possibly impair passage of legislation urgently needed to obtain decent standards and humane treatment of animals undergoing research.

We request, therefore, that inspection of animal housing in laboratories be deleted from an animal dealers' bill. Thank you.

STATEMENT OF MRS. FENBY WEBSTER, EXECUTIVE SECRETARY, WAYSIDE WAIFS, KANSAS CITY, MO.

Chairman Poage and gentlemen of the House of Representatives Subcommittee on Agriculture, my name is Mrs. Fenby Webster and I am executive secretary of Wayside Waifs, an animal shelter in Kansas City, Mo. Wayside Waifs is an affiliate of the Humane Society of the United States. We have several

contracts and perform animal control work for Kansas City and almost all of the suburban areas.

As an affiliate of the Humane Society of the United States we have been very concerned about the disappearance of pets in the Kansas City area. For many years we have been aware of this situation and we have conducted several unsuccessful raids against laboratory animal supply dealers dating as far back as 1958.

Mr. Coles Phinizy, a writer and staff member of Sports Illustrated, reported a case on November 29, 1965, in his article, "The Lost Pets That Stray to the Labs" which directly involved Wayside Waifs. Mr. Phinizy's article is testimony in itself and I would like to quote two paragraphs from it.

"Another German shepherd, the property of a New Mexican boy named Joe Jozano, was being taken for a romp in Loose Memorial Park, Kansas City, Mo., where Joe was visiting his grandmother. A truck bearing the sign "Wayside Waifs" stopped, and its driver seized Joe's dog because, he said, it was not on a leash. On the surface this all seemed quite legitimate, since Wayside Waifs is a perfectly proper dog-supervising organization run by a humane society and authorized to pick up strays. However, when Joe's father telephoned Wayside Waifs to ask about the dog he was told that no German shepherd had been picked up in Loose Park. When Joe accompanied his father to the shelter he noticed a funny thing. The trucks there had the name Wayside Waifs painted directly on the paneling. On the truck that had picked up his dog the name was on a placard affixed to the paneling. On the same day that Lozano lost his dog, a genuine Wayside Waifs truckman on a routine collection mission learned along the way that a spurious Waifs truck had beaten him to it.

"Neither the fake truck nor Joe Lozano's German shepherd was ever identified. In all likelihood, after leaving the phony dogcatcher's questionable care, Joe's pet passed—for a price—through progressively cleaner hands until, in what may well have seemed a perfectly legitimate deal to the man in charge, he ended up in a laboratory and there was used to fill some scientists' very real need for experimental animals."

It would be impossible to find a more perfect example of the devious, illegal, and unscrupulous methods used by dog dealers.

On February 2, 1966, agents for Wayside Waifs conducted a raid on a farm located in Pleasanton, Kans. The dealer, Jack Harding, was arrested and charged with cruelty to animals. His case was heard by Judge Clarence H. Nation who has taken the matter under advisement and will rule on March 11, 1966.

Harding had 30 dogs, 2 horses, 30 guinea pigs, about 100 pigeons, and other animals. Many dead dogs littered the property and those that were alive were barely so. I would like to submit 14 photographs to the subcommittee as an exhibit. You will note the emaciated physical condition of these animals. Note, too, that some of these are hardly the type of dogs one would expect to find at a farm of this type—a doberman, a German shepherd, a weimaraner.

Dr. Richard B. Buckley, a Kansas City veterinarian, testified at the trial that he found most of these dogs suffering from long malnutrition and other ailments. According to Harding he paid a young boy 50 cents a day to care for the animals. What kind of care could any sensible person expect to be given by an employee paid 50 cents a day?

Harding stated that he bought dogs, traded dogs, and some were just given to him. He stated that he bought dogs from public pounds in Independence, Mo., Carrollton, Mo., and Moberly, Mo. In turn he sold them to National Laboratories in Kansas City, Mo. We need look no further to find evidence of interstate traffic in these miserable animals.

Gentlemen, cruelty of this sort must be stopped. It is a nationwide problem and strong Federal legislation is the only answer. The officers and directors of Wayside Waifs, speaking for our membership, urge this subcommittee to report out strong and effective legislation. We believe, too, that this legislation should be confined to the care, transportation, and handling of animals by dealers. We do not believe that the complex subject of care of animals in laboratories, even before research, should be included in any such legislation.

Thank you very much.

Mr. POAGE. Thank you.

We will next hear from Mr. Hogan.

STATEMENT OF DECLAN HOGAN, FIELD REPRESENTATIVE OF THE HUMANE SOCIETY OF THE UNITED STATES

Mr. HOGAN. Mr. Chairman and members of the committee, about 6 months ago, I had just concluded a 4-year period as a nightclub owner and operator. I was acquainted with Mr. Frank McMahon, director of field services for the Humane Society of the United States, at the time. He persuaded me to accept a position with the Humane Society of the United States as an undercover agent with the specific job of gathering information on the nationwide business of supplying dogs, cats, and other animals to research institutions.

McMahon's proposal amused me greatly since I had no previous experience with animals and the idea of huge profits being made in selling cats and dogs seemed ridiculous. I confess I accepted it mainly as an opportunity to get some badly needed fresh air and exercise after years in a smoke-filled, ear-busting nightclub.

With tongue in cheek, I spent the following week studying reports of HSUS investigations of dog dealers. I couldn't visualize encountering anything like the treatment of animals I was reading about and was pretty well convinced that someone's emotions were surely painting a grim picture. The "indoctrination" wound up with an intensive crash course handling at the Humane Society of Montgomery County in Bethesda, Md.

I was given a 1964 Chevrolet pickup truck that had been made over into the kind of unsuspicious vehicle usually used by dog dealers. Apparently, the Humane Society of the United States knew its business well. On seeing it for the first time, one of the most notorious of dog dealers, Lester Brown of White Hall, Md., said: "You shouldn't have too much to worry about with that, nobody would ever know you were carrying dogs." I was then sent out with a complete list of dog dealers and other suppliers.

In subsequent months, I traveled more than 32,000 miles covering some 15 States. I saw all kinds of dealer operations with animals, bound for research, suffering under the most appalling conditions. I was particularly shocked at the scope and magnitude of the business and the unscrupulous methods of procuring and handling that are commonplace. The cynicism with which I had undertaken the job soon disappeared as my probes developed.

I found that cruelty, whether by omission or commission, is the general rule among dealers. The dealers consider research animals nothing more than a product with resaleable value. The principal motivation is profit. There is no thought that animals are living creatures needing food, water, and care to survive. I saw hundreds of animals in a condition of semistarvation, many others dead from malnutrition, and still more without water, shelter, or care of any kind. I saw pigeons being devoured alive by raccoons simply because no one had bothered to separate the cages of both. I saw dogs tied with short chains to outside, unheated huts in freezing weather. I saw cats lying listlessly in their own feces which obviously hadn't been cleaned up for months. I saw sick and injured animals dying of hunger and thirst in penned enclosures while healthy animals with them devoured the cattle entrails and slaughterhouse products thrown indiscriminately to all.

Easy money and large profits are the easily recognizable causes. Without legal requirements, no dealer will lessen profits by providing heated and lighted buildings, trained personnel, adequate food and water, and veterinary care. Even sick animals are used to "turn a buck." For example, I was shown a beagle by Lester Brown, the White Hall, Md., dog dealer who thought I was there to purchase animals. The beagle was blind in one eye and pus was running from the other. Brown wiped away the pus from the dog's eye with his own ear, saying "they wouldn't know the difference."

The "no questions asked" attitude of the suppliers and the research organizations has fostered the small time operator dealing strictly for beer and cigarette money. Typical of such is Carl Brown whose intentionally vague address is listed as "residing on highway 40 between Havre de Grace and Elkton, Md." Brown, who steals family pets for sale to dealers and then steals from dealers themselves, is known by dealers as a man who will "pick up anything he can get his hands on." Yet, dealers themselves will trade with this man. Gentlemen, I need hardly tell you that the animals handled by this type of character are subjected to extreme cruelty and neglect.

I have found cruelty rampant throughout the entire channel of supply of research animals. The large dealers, last stop for animals going to laboratories, run their operations for maximum profit and minimum loss. The huge number of animals being handled contributes further to the prevailing indifference and carelessness. Turnover is so great that profiteering dealers estimate losses through sickness, injury, or malnutrition will still be lower than the cost of installing proper care and feeding facilities. The healthy animals survive; the others die off, becoming just another entry in the big dealer's profit and loss statement.

Even nominal fines and convictions of dealers for cruelty are hard to achieve under existing laws. Most operations are rural with the dealer usually known in the community. This makes conviction for cruelty by a jury of his peers very difficult. It is readily understandable why humane society officials prosecuting such cases would be discouraged when the presiding judge keeps referring to defendants by nicknames like "Billy Boy" as happened in the trial of William Miller of McConnelsburg, Pa. Federal legislation would help end this situation.

I also applied to the National Institutes of Health in Bethesda, Md., for a contract to supply animals to that institution. I was received by Dr. Cameron and asked my name and address. No effort was made to probe into my background but I was subjected to a lengthy explanation of the idealistic requirements which NIH supposedly wants from animal suppliers. I knew from my investigations that these standards were not being followed and Dr. Cameron's entire attitude toward me indicated that he was in the position of having to, but not wanting to, deal with a seemingly derelict character. Such is the tremendous demand for animals in research institutions.

In the time allotted me, I cannot cover everything I have seen that has convinced me, an outsider to the humane movement, of the great, urgent need for enactment of a corrective Federal law. The injus-

tices inflicted upon animals being channeled to laboratories are immoral, unethical, and certainly should be illegal in a forward-looking country like ours. Therefore, I ask your permission, Mr. Chairman, to have my detailed report entered in the record.

Thank you.

(The documents entitled "Interoffice Memo" follow:)

INTEROFFICE MEMO

To : Frank J. McMahon.

From : Declan Hogan.

Date : October 1, 1965.

Subject : Animal trading at auctions.

I arrived at Roots auction, Manheim, Pa., at 5:30 p.m., September 28, 1965. The following are a list of my observations :

1. Large truck, John Dierolf, Boyerstown, Pa., printed on door panel. No positive identification of Mr. Dierolf, or any of his workers, was made by me this evening nor did I observe any loading or any other type of activity regarding this truck.

2. Large white truck, license No. 1438HB, Maryland. This truck had 10 to 15 dogs loaded on it at the time I arrived at the auction. Failing to personally identify the driver, I followed a man I believed to be him, consequently, overheard him bragging to another dog dealer how he could get \$100 for some dogs he purchased for \$25, "Those idiots don't realize we can get 100 bucks for the mutts." This man did not purchase animals this evening, nor did I see any animals being loaded onto the large white truck. The suspected driver of the truck watched the dog auction, and only the dog auction with keen interest.

3. Dog truck, pickup model, Reber Kennels, pedigree beagles, printed on door panel. This dealer bought 15 to 20 dogs, only one purebred, a beagle, for \$13 with certificates. The dealer seemed most concerned about price, rather than size, condition or breed. I was unable to determine why a pedigree beagle breeder would purchase such dogs.

4. Red Chevrolet, recent model pickup with large plywood, makeshift, built back, completely enclosed, except for two very small ventilation slots which were, incidentally, closed. The license number of this vehicle was R181F7, 1964, Pennsylvania. The man who operated this truck was about 20 years old, referred to as No. 10 in all his business transactions. No. 10 purchased about 20 dogs, 30 cats, several guinea pigs, some rabbits, and 1 goat for \$13. These animals were transported to the truck by two men, one about 35 years old with one arm, the other about 50, who I suspected to be the younger man's father (the buyer). Chicken crates were used to store the animals on the truck, as many as four medium sized dogs were placed in one chicken crate. No. 10 seemed to be, from all appearances, an extremely active, frequent buyer at Roots auction.

5. Large truck (4 to 5 tons), darks green, wooden slots on back, impossible to see into, owned by George Miller, license No. T 87-70B, 1964, Pennsylvania. Miller bought 30 to 40 dogs, 2 or 3 dozen cats, some guinea pigs, 2 or 3 crates of pigeons. Miller seems to be quite active and well known at Roots.

6. Large truck (4 to 5 tons), dark green, full enclosed back, no ventilation provided, operated by a man dealing under the name of H. Christ. He was by far the most active dealer present. He is 50 to 60 years old, heavy set, around 200 pounds, 5 feet 9 inches of height, dark complexion, with a completely rotten set of front lower teeth. The truck he used had a wooden plaque on the right side that read: "H. Christ, Box 217, Marlboro, Ridgefield, Pennsylvania." I couldn't read the license number without being extremely obvious. This man outbid all other buyers for the choice animals, paying anywhere from \$8 to \$14 for medium-sized dogs. He purchased about 50 dogs, possibly 100 chickens, 20 to 30 cats, some guinea pigs and pigeons.

7. Truck, pickup, dark green, license No. S7053C. This man sold about three dozen cats that he had brought in chicken crates, to the auctioneer.

8. I have reason to believe that dog dealer, Rodney Schreck, is buying animals at Roots. In the animal auction building there are truck stations designated for dealers, which have nameplates printed overhead. Another dealer's name had been crossed off one of these and written over was "Schreck."

FIELD INVESTIGATION REPORT

Date: October 27, 1965.

To: Frank J. McMahon.

Investigator: Declan Hogan.

Date of investigation: October 4, 1965.

Type of investigation: Dog dealer.

Name and location of party or facility investigated: Lester Brown, White Hall, Md.

I approached Lester Brown using the same story I had used all throughout the Eastern Shore the previous week—namely, that I was a dog dealer from Winchester, Va., in desperate need of 10 German shepherds in order to fulfill a laboratory contract. He immediately referred me to his son, John, who lives adjacent to him on the Brown property, declaring that he, his son, has several German shepherds. John showed me three German shepherds which were chained to doghouses, some several hundred yards into the junkyard. These dogs had neither food nor water and were extremely emaciated, which was my reason for not buying them. The majority of Brown's dogs are hounds, beagles, and assorted breeds of hunting dogs. They are sheltered in chickenhouses and separate doghouses directly in back of Brown's house. All his dogs seemed to be suffering from either hunger, disease, exposure, or just plain fear. One dead dog was lying in the road in back of Brown's house.

I saw approximately 200 dogs in the kennel area. I could hear dogs barking throughout the junkyard, which occupies almost 3 acres of land. It would be hard to estimate how many were strewn throughout the junkyard. At this time John had to attend to some other facet of his business, so I went back to Brown's house in hopes of striking up a conversation, which I accomplished quite easily. Brown conversed for about an hour and a half, discussing dog dealers, humane activities, prices, profits attained, and anything related to the laboratory dog business. The following is a summary of that conversation.

(1) John Dierolf: "biggest dog dealer around, who fights the humane societies toe to toe." Dierolf sells mostly to laboratories and hospitals in New York and New Jersey, "has the Government behind him." He gets \$30 apiece for average-size dogs. Recently Dierolf has become greatly harassed by humane societies, which have forced him to find new methods of conducting his business. He no longer outwardly buys at the auctions in Pennsylvania, but has George Miller do his purchasing at these auctions. Brown says that Dierolf and Miller stand alongside each other at the auctions and pretend not to know each other during the bidding. Brown went on to relate that Miller's sole activity in the dog business is buying and transporting for Dierolf. Miller delivers every Tuesday night to Boyertown, Pa., where the Dierolf kennels are located. According to Brown, Wayne Fenton and Dierolf's daughter, Ruthie, are managing the Dierolf kennels due to Dierolf's present illness. In the past Brown had dealt with Dierolf, but due to humane activities in the area, Dierolf has restricted his business with Brown to an occasional pickup late on Sunday nights (12 p.m. to 2 a.m.).

(2) Brown stated that he knows Joe McGinnis and Clifford Hughes quite well, but does not deal with them because, according to Brown, their dogs are not up to his standards.

(3) Carl Brown, a man I had met the previous week in Goldsboro, Md., at Joe McGinnis' kennel, was mentioned as a person who picks up, "anything he can get his hands on." He sells to Hughes and McGinnis. The previous Monday Carl Brown visited Lester in White Hall. Lester Brown had, at this time, several cur dogs which he was going to shoot because they were emaciated and sickly, representing no salable value. Carl Brown asked for the dogs, saying he could sell them to Hughes or McGinnis and they could split the profit. Lester, happy to be rid of the animals, agreed, and told Carl to keep whatever he received for the dogs. Carl Brown loaded his car, a 4-door sedan, with as many dogs as he could possibly carry—according to: Lester maybe 12 to 15 dogs.

(4) Lester Brown asked if I knew William Miller, Mike from Lone Trail Kennels, Ron Newton, or George Miller, all men that he had dealings with. Reber Kennels was mentioned as a dealer who is becoming increasingly more active. He indicated that Mike Kredovsky and Reber are closely associated. Brown spoke disparagingly about the activities of humane societies, saying that they were causing him to lose much of his ambition toward the dog business.

He explained that he had curtailed much of his activity with cur dogs. He went on to say that for years he had a contract of \$15,000 to \$20,000 yearly volume with a Baltimore hospital, but not longer had their trade. Three years ago, Brown suffered a business loss of \$1,500 owed to him by Zoological World-Wide, Inc., of Arlington, Va., when they were forced out of business. I asked Brown why he had extended so much credit to the firm. He replied it was not unusual, and that was about the monthly volume that he conducted with this company.

(5) Presently Brown is awaiting the arrival of a Dr. Percy from a local Baltimore hospital, he did not know the name of the hospital, to negotiate a new contract.

(6) Brown was extremely interested in conducting business with me, and even offered to transport dogs to my nonexistent Winchester, Va., residence. Brown claims he can obtain any number of German shepherds requested. The following is a price list which we arrived at after some squabbling.

	<i>Each</i>
A. 3- to 4-year-old healthy German shepherds-----	\$25. 00
B. 15- to 25-pound mixed breed-----	4. 00
C. 25 to 40 pounds-----	7. 00
D. Over 40 pounds-----	10. 00-12. 00
E. Registered beagles-----	30. 00
F. Registered beagle pups-----	17. 50

Brown told me that he owns a car registered in Pennsylvania for carrying in that State. While at Brown's I witnessed an act of cruelty. Brown had on his porch several crates of pigeons alongside crates of wild racoons. The racoons were reaching through the crates and were eating the pigeons alive. All during my visit with Brown there was a truck with an aluminum camper on the back, license plate 2187 EP, Maryland, loaded with beagles. Also present, a 1954 Plymouth, license plate Pennsylvania R-20864.

FIELD INVESTIGATION REPORT

Date: January 3, 1965.

To: Frank J. McMahon.

Investigator: Declan Hogan.

Date of investigation: November 1 and 2, 1965.

Type of investigation: Dog dealer.

Name and location of party or facility investigated: Bill Nichols, Federalsburg, Md.; Joe McGinnis, Goldsboro, Md.; Lester Brown, White Hall, Md.

Arrangements had been made with Ralph Blumenthal, a staff reporter of the New York Times, to accompany me on a routine investigation trip of dog dealers in Maryland. His purpose was to gather firsthand information about the laboratory animal supply business in order to publish an article in the Times.

I met Ralph Blumenthal at the Pennsylvania Railroad Station in Wilmington Del., at 10:30 a.m., Monday, November 1, 1965. Ralph immediately stressed his desire to cooperate.

The first dealer we visited was Bill Nichols, a tavern owner who supposedly sells only hunting dogs as a side occupation. Nichols' tavern and kennel, which is on the same property, is located on Highway 306 on the outskirts of Federalsburg, Md.

Conditions were very much the same as I had reported after a previous visit. Lack of food and water, overcrowded bins, and mixed sexes in the same bins were observed. Ironically enough it would require a keen observer to conclude that conditions were very poor. Evidently many of the animals present had been there only recently. These dogs, therefore, looked and behaved like normal healthy animals. Also, we had the unfortunate experience of arriving at Nichols' just after a general cleaning of kennels. I suppose he had this done in anticipation of many customers due to the opening of the Maryland small game hunting the following day. However, food and water were not present in any of the dog bins. In fact, Ralph noticed that the only food substance on the entire premise was a pile of bread crusts.

The worst offense at Nichols was a shed used to house bird dogs. As many as 20 to 25 grown hounds and bird dogs were seen there. They weighed approximately 40 to 50 pounds. The shed was no larger than 6 feet by 4 feet. I had informed Ralph of this before arriving at Nicholas to be certain that he got a good look.

Nichols was under the impression that I was a dog dealer and that I came to purchase some dogs. I had introduced Ralph as my helper. I did not buy any dogs and rejected any animals Nichols showed me as unsatisfactory.

After our original tour of the kennels I told Nichols, who is also the bartender at the tavern, that I wanted a beer before I looked further for satisfactory specimens. I had hopes of getting Nichols to converse about the dog business. I also wanted to look around again to make sure Ralph had every opportunity to observe the premises. Nichols was very reluctant to converse but did say that a man from Pennsylvania buys dogs from him quite frequently and will buy anything but a collie dog. I explained to Ralph why this man rejected collies and thereby established the fact that this purchaser is unquestionably a laboratory supplier. I also pointed out to Ralph that animals that starve here—possibly for months—are eventually destined for use in research. Thus the dogs used are very weak specimens.

Nichols' wife drove in in a recent model (1963 or 1964) white Cadillac. This seemed most unusual for a tavern keeper who, incidentally, charges 25 cents for a Budweiser, which could cost him as much as 21 cents. Also, Nichols consumes more beer himself, I estimate, than his customers. The tavern is located in the wilderness on the outskirts of town. Surely there is no incentive for patrons to travel out to Nichols' tavern.

From outward appearance an uninformed person would conclude that Nichols raises and handles only hunting dogs. Even if this were so, from an ethical business viewpoint, this man should not be allowed to operate. I asked Nichols if he had any really well-trained deer hounds. I said I was planning to do some deer hunting this fall. He said he had an excellent deer dog and that I could purchase it for \$15. I know from experience that any professionally trained hunting dog will cost more than \$15—particularly deer hounds, which can cost as much as \$125. Nichols was willing to sell this dog to me in spite of the fact that I might be returning in the future. This man not only lacks feelings toward animals but also lacks simple good business tactics. I'm sure greed motivates him. Before leaving we again toured the kennels, supposedly seeking good laboratory animals.

While present a recent model pickup truck arrived (license No. N.J. KZ-487) with a dog box in the rear. The driver sold 4 or 5 hunting type dogs to Nichols. An animal carrier trailer was observed on Nichols' property (license No. Md. 1292-GC). The tag on the Cadillac is 6980-EH. Two other vehicles were present, both passenger cars, license No. EH-7294 and CH-6294, both from Maryland.

I decided to look up Carl Brown, a suspected dog thief, who I believe resides in or near Goldsboro, Md. Brown was not present at his usual "hangouts."

Two other dog dealers are located in Goldsboro—Joe McGinnis and Clifford Hughes, who reside next to each other.

I drove into Joe McGinnis' yard. He also supposedly sells only hunting dogs. Joe McGinnis was not present. I suspect that McGinnis has more of a demand than he can supply. He is, therefore, not eager to meet new purchasers, nor will he readily converse about the laboratory animal supply business. His father was present but he too was disinterested. I aroused him by immediately purchasing two mixed collie-shepherd dogs, 6 or 7 months old, for \$3 each. I then told him I wished to purchase two deer hounds. I wanted to erase any suspicions the younger McGinnis may have had of me.

I had originally approached the older McGinnis saying I was looking for cur dogs. He said he had only the two collie-shepherd dogs, the ones that I bought. These dogs were in a small chicken crate and when I removed them they could hardly walk. Their bodies had become stiff from remaining in these jammed confines for so long.

McGinnis had about 200 dogs on the premises. Most had separate dog houses to which they were tied by a very short chain (3 to 4 feet long). About 25 to 30 dogs were chained to stakes in the ground where no housing was present. I would estimate that half the dogs were provided with water pans, which were either empty or filled with filthy water. The others had no water or water pans. No food was observed. The ground around the dog houses was covered with feces. Many of these dogs were sick or starving. The rib cages could be seen on many dogs, perhaps 2 or 3 dozen. New Zealand white rabbits were present which indicated to me that McGinnis does supply laboratory dealers.

When the older McGinnis said he had no cur dogs I asked if Clifford Hughes, his next door neighbor and a known dog dealer, could supply me. He replied,

"Hughes has been selling exclusively to John Dierolf from Pennsylvania for years." This fact was confirmed by Hughes when I called him a couple of days later and tried to establish him as my supplier. He said he sells everything he gets to one man. He also said, "I have no need to sell to anybody else."

The two dogs I purchased at McGinnis' were left at the Baltimore animal pound, the nearest shelter, located at 2700 North Calverton Street in Baltimore. I left these animals at the pound because we were going to spend the night in northern Maryland so that we could visit Lester Brown in White Hall the next day. I did not want the dogs in the truck more than was necessary.

Ralph and I spent the night in Reistertown, Md., and left for White Hall at 9 a.m., Tuesday, November 2.

We arrived at Lester Brown's junkyard and dog kennel shortly before 10 a.m. After a brief discussion with Lester, who was displeased with me for not contacting him for the German shepherds he was collecting for me, we toured the dog area looking for specimens to purchase. At this point I will summarize observations made by Ralph and myself while at Brown's.

(1) Brown tried to sell me a pointer which was housed in a small chicken coop. The animal had a vicious looking gash on its hind quarter and was violently shaking with distemper. Brown remarked that the wound would heal in a few days and the dog would be fit for laboratory use.

(2) He also showed us a beagle, blind in one eye and pus running from the other. While Brown wiped the pus from the dog's eye with its ear, he said, "They wouldn't know the difference."

(3) Several dogs were enclosed in separate boxes 3 feet by 3 feet, including a beautiful, white German shepherd. In order to get to these dogs it was necessary to climb over a junked automobile.

(4) Dead and half eaten chicken and pigeons were observed in several dog cages and around the open doghouses.

(5) Brown had on his property about 200 dogs, 4 dozen chickens, and several pigs that roam around at will as there is no pen provided for them. There were also two ponies, hamsters, several dozen New Zealand white rabbits, a couple of wild racoons, and several dozen cats housed in chicken crates. Many of the smaller animals—cats, puppies, hamsters, racoons, etc.—were housed in chicken crates stacked on top of each other with no regard to type of animal. These were on Brown's summer porch.

(6) Dirty automobile wheel discs are used as water containers for the dogs; 80 percent of these were empty. No food was seen except cattle entrails and a sloppy corn mash that Brown's wife cooks.

(7) Brown showed us about 25 dogs, all curs, which were in chicken crates—three or four medium-size dogs to a crate. Brown stated that they had arrived the night before.

The following is a list of random facts pertaining to Brown's dog operation. These were revealed through conversation with Brown.

(1) Brown was curious to know if I ever had trouble with humane workers at the animal auctions in Pennsylvania. I replied no and explained several diversionary tactics that I supposedly employ while at these auctions. He then explained how he transfers all animals bought at the auction to another truck before reaching his final destination. This, he said, is done only about a mile or two from the auction grounds.

(2) Brown said he sells to hospitals and laboratories in New York. When he delivers to New York they leave at 2 a.m. and arrive just before 6 a.m., when the laboratories open. They return the same day by 11 a.m.

(3) Brown was very much impressed with my truck and said, "You shouldn't have too much to worry about with that, nobody would ever know you were carrying dogs."

(4) Reber Kennels from Pine Grove, Pa., had bought 25 dogs from Brown yesterday, including 5 German shepherds Brown had picked up for me.

FIELD INVESTIGATION REPORT

Date: January 4, 1966.

To: Frank J. McMahon.

Investigator: Declan Hogan.

Date of investigation: November 10, 1965.

Type of investigation: Dog dealer.

Name and location of party or facility investigated: William Miller, McConnellsburg, Pa.

On November 10, 1965, I arrived at McConnellsburg, Pa., for the purpose of inspecting the kennel operated by William Miller, a dog dealer located in that city.

I drove to Miller's property and explained to him that I was also a dog dealer and was seeking new supplies. A discussion ensued in which Miller revealed that he too was having problems meeting his weekly requirements for the four or five hospitals and labs that he supplied. He recommended that I contact Dale Lightner, a dog dealer in Hanover, Pa. Miller said that Dale had just completed a contract for 500 dogs. According to Miller it took Lightner 3 months to meet the obligation.

Miller said he handles only 80 dogs a week—this I believe to be a gross understatement. Dr. Cameron, the animal purchaser at NIH in Bethesda, Md., told me Miller supplies 50 dogs a week at NIH. Miller's contract with NIH represents only one of the four or five places he supplies.

Miller said he gets all his dogs in Kentucky. He makes weekly trips usually on **Thursday** and is back in time to deliver early in the week. Miller complained about the people he gets dogs from. He said he gets too many sick and mangy animals.

He also complained about Joe McGinnis, a dog dealer from the Eastern Shore of Maryland. He was supposed to bring Miller 20 hounds but failed to deliver.

Lester Brown was mentioned as a Dierolf supplier.

Miller said he used to supply Nercessian from New York with 30 to 40 dogs a week but he no longer does since Nercessian became involved in difficulties with the Humane Society. Bragging he related how Nercessian is suing the Humane Society and how Nercessian will really put the society in its place.

After our discussion Miller invited me to see his dog facilities. The following are a list of observations.

(1) Approximately 35 to 40 dogs were present on the property. A large German shepherd was tied with a 4-foot rope to a separate doghouse. No water or food was present.

(2) A chicken house, 6 by 4 feet was utilized for holding small dogs and puppies. There were two separate bins, one side housed six to eight puppies. The other side had six to eight smaller dogs (16 to 20 pounds) and was extremely crowded. It too had no water or food.

(3) Four full-grown hound dogs were loaded on a 3-ton Ford truck, license No. U 4180 GA. No food or water was present on the truck.

(4) Miller has on his property an old dairy barn that was converted to hold dogs. There were rows of bins 6 by 5 feet on each side of the interior of the barn. There are about eight bins to a row. No dogs were present in the bins on the left side at this time. These bins were filthy, scattered with dirty straw, cattle entrails and feces. The bins on the opposite side were in use. At least three of these bins housed eight dogs each. All were unsegregated as to sex and size of the dog. Small dogs and large, male and female were in the same bins. A dead dog, a mixed breed, was in the same bin as a sickly German shepherd. The animal's ribs could be counted. All bins were dirty, piled with at least 3 days of dog wastes. No water or food was provided in these bins.

FIELD INVESTIGATION REPORT

Date: January 4, 1966.

To: Frank J. McMahon.

Investigator: Declan Hogan.

Date of investigation: November 12, 1965.

Type of investigation: Dog dealer.

Name and location of party or facility investigated: Lester Brown, White Hall, Md.

Bob Ruben, a CBS television producer of documentary shows, had expressed to Frank McMahon, director of field services of the HSUS, a desire to document information compiled by the HSUS concerning "dognapping" and its overwhelming connection with the laboratory animal supply business.

It was suggested that Ruben accompany me on a routine visit to the holding property of a typical dog dealer so that Ruben could observe the appalling and inhumane kenneling of animals, which are eventually sent to labs and hospitals throughout the country. Ruben had requested permission to record on film these

outrageous conditions and it was left to my discretion whether it would be possible.

I met Bob Ruben late in the afternoon of Friday, November 12, 1965, as he had difficulty reaching my appointed rendezvous at White Hall, Md. Ruben had been instructed to wear old work clothes. Because it was late and already getting dark, we discussed briefly the feasibility of shooting film and the method of approach to be used while confronting Brown or any of his employees. It was decided that Ruben was to be my helper because I was planning to attend a Pennsylvania auction that evening and I almost always hired a man to accompany me when I go to these auctions. Because White Hall is on the way to the auction I thought I might stop by and purchase some dogs. Ruben was to remain silent and only use the camera if and when I so directed. He was wearing my heavy navy jacket because it was much easier to conceal the 16-mm. camera. We then proceeded to Lester Brown's junkyard.

Upon arriving on his premises I learned from his wife that Brown was not present but that he should be returning shortly. This was good for us. Brown had always accompanied me while inspecting his dogs. His wife had seen me on several occasions and therefore had no reservations about me. It was quite simple then to obtain permission from her to walk about the premises, unescorted, and supposedly in search of good laboratory specimens. There were several workers present but they, too, had seen me before and were under the impression that I was a dog dealer who conducted business with Brown quite often. Thus, I had their approval too. It should be pointed out that it is a general rule among dog dealers that nobody, even other dog dealers, is ever allowed to snoop around the holding property of a dealer unescorted.

Conditions were particularly repulsive this day, much worse than I had even seen here before.

Ruben was able to shoot film of most of the conditions I will describe. I stood guard while he filmed. He used my truck, doghouses, and chicken coops for cover. Prior to coming to Brown's I had informed Ruben of the consequences of being discovered filming on Brown's property. That, and the presence of several employees roaming about the property, induced Ruben to be exceptionally nervous.

Dead chickens, pigeons, and cattle entrails were strewn on the ground in the doghouse area, which appeared to be the only food for the dogs. A pregnant bitch tied to a doghouse was eating the carcass of a dead calf. All that remained of the calf was its bone structure and intestines. Several sick and injured dogs I had seen on prior visits were observed to be in a worse condition. An injured hound with an open wound on its hindquarters that had now become infected was still being kept in the same chicken coop with other dogs. The chicken coop was 6 feet long by 3½ feet wide by 3½ feet high and contained as many as eight full-grown 40- to 50-pound dogs. Dogs in this coop would not lie down without lying in their organic wastes. A white German shepherd, reported weeks earlier, was still housed in a 3- by 3-foot wooden box which was inaccessible because of junked automobiles surrounding the box. In another box next to the German shepherd was a mixed breed dog that had an infection on its stomach the size of a bowling ball—a truly grotesque sight. In general the doghouse facilities were filthy dirty. Dogs practically live in mud and feces which is allowed to pile up outside their doghouses. Overcrowding in chicken coops used as houses for the animals is the general rule. Males are with females and dogs of all sizes mix together. I have never seen substantial food and clean water here. Auto hubcaps are used as water containers and they are usually empty or partly filled with dirty, greenish water.

That evening I accompanied Ruben and his wife to a dog auction in Ephrata, Pa. Unfortunately we arrived too late to witness the purchasing of animals. However, Ruben had the opportunity to watch some dog dealers loading trucks.

Dog dealers present were Bod Gamble, white truck, license 1438 HE, John Dierolf, and Henry Christ, Marlboro, N.J., No. 10.

FIELD INVESTIGATION REPORT

Date : December 30, 1965.

To : Frank J. McMahon.

Investigator : Declan Hogan.

Date of investigation : November 15-17, 1965.

Type of investigation : Dog dealer.

Name and location of party or facility investigated : Carl Brown.

In connection with the production of a CBS television documentary about "dog-napping" and laboratory animal suppliers, it would be of tremendous value if a currently suspected dog thief could be persuaded to admit and relate information concerning his activities.

While conducting a routine investigation of dog dealers in the Eastern Shore area of Maryland, I had the occasion to meet Carl Brown. On October 6, 1965, I was on the property of dog dealer Joe McGinnis in Goldsboro, Md., when Brown arrived, attempted and failed to sell some mangy hounds to McGinnis. As a result of a casual conversation in which several leading questions were asked, it was revealed that he picked up stray animals and had little or no reservations about such actions.

I recorded the Maryland license tags (CV 322) of his vehicle.

A week after the incidental meeting I was visiting dog dealer Lester Brown in White Hall, Md., about a hundred miles from Goldsboro, Md., where Joe McGinnis' kennel is located, at which the initial meeting with Carl Brown took place. Lester Brown mentioned Carl Brown (not a relative) and said, "He'll pick up anything he can get his hands on." Lester related that occasionally Carl would try to sell him animals and sometimes Lester would give him his unsalable specimens.

On November 15, 1965, I left Washington and drove to Harve De Grace, Md., with intentions of contacting Carl Brown. The HSUS had learned from the Maryland State Police that auto No. CV 322 was registred to Carl Brown, Jr., residing on Highway 40 between Harve de Grace and Elkton, Md. The two cities are 20 miles apart, which represented 40 miles to be searched for Brown.

I completed the north and south trip once, checking all bars and gas stations for the suspected dog thief. Only one gas station knew of him, being positive because of an accurate description of auto and person. The attendant could not supply information as to where he resided, but he did say, "Brown has a very large family and * * *" He hesitated, not knowing my relation to Brown. (I think he was about to say the guy was a good for nothing bum.)

The phone directory revealed 3 Carl Browns and about 10 persons having the name Brown who could possibly be the man I was seeking. This activity took the entire day. None proved to be the family of Carl Brown. He does not have a phone.

Since the village of Northeast is located about one-half mile from the gas station that recognized Brown, I decided to ask around in that city. A check at the post office revealed that a Carl Brown, answering the description, had a postal box and that his mail was just about limited to receiving welfare checks.

Following the lead I phoned the welfare bureau in Elkton and said I was seeking Brown to offer him employment with my business. I was told any information held by this bureau was strictly confidential and, if given out, had to come from the director, who was not present at the moment. I was told to return the call in an hour.

In the meantime I went to the State police barracks on Route 40 and inquired of Carl Brown. The officer in charge of the desk, reluctantly admitted not knowing Brown but was concerned enough to ask other policemen on duty in the building at the time. A sergeant recognized the name and again the existence of a large family was mentioned. He said he thought Carl had moved out of the area and that Carl had been arrested recently by the sheriff in Elkton, Md. The officer gave me directions to the sheriff's office.

The sheriff refused to give any information except confirmation of Brown's arrest. I was told, "If you catch up with him, please let us know, we'd also like to talk to him." The officer also said he was seen in Cecilton recently.

Again I called the welfare bureau and after lengthy interrogation by the welfare director, wanting to know exactly why I sought Brown, he informed me that Brown had recently moved to Cecilton and I was given an address there. It was revealed that they also wished to see him. Several recent attempts by the welfare bureau to contact him had failed. The possibility of Brown having skipped was expressed.

The address revealed no further help as no one was present. I watched the premises, waiting for someone to return the remainder of that day and the following day. The house remained unoccupied. Inquiries of Brown in the area revealed nothing significant. Nobody knows him in Cecilton as he has lived there a very short time.

FIELD INVESTIGATION REPORT

Date: January 1, 1966.

To: Frank J. McMahon.

Investigator: Declan Hogan.

Date of investigation: December 1, 1965.

Type of investigation: Dog dealer.

Name and location of party or facility investigated: National Institutes of Health Bethesda, Md.

On Wednesday, December 1, 1965, I was dispatched to the National Institutes of Health, located in Bethesda, Md., to investigate how a laboratory animal dealer, which I represented, would go about procuring a supplier's contract with that institution.

I was directed to a Dr. Cameron, the laboratory animal purchaser of dogs and cats. Dr. Cameron received me with an extremely disgruntled attitude, but, at the same time, expressed his tremendous need to conduct business with dog dealers. Upon introduction he remarked, "Yes, I'm the man you want to talk to, but I wish I could send you somewhere else."

Dr. Cameron asked few questions, restricting inquiries to name and where I was from. This struck me very odd that he omitted asking which labs or hospitals I may now have been supplying. Since he was conducting an interview, it would seem to me that references would be a necessity.

Dr. Cameron rambled on for about 20 minutes, explaining his idealistic requirements that were necessary for obtaining a supplier's contract. The following are some of Dr. Cameron's requirements:

- (1) Six holding bins on the property.
- (2) A heated and lighted building for holding animals.
- (3) Periodic inspections by Cameron of all dog facilities.
- (4) Separation of sexes in bins.
- (5) Food and water on hand at all times.
- (6) Daily cleaning of holding quarters.
- (7) Carrying vehicles must be of adequate size to carry animals humanely.
- (8) Dogs must be procured from pounds or by other legal means.
- (9) Animals must not be delivered directly after long distances. They must be fed, watered and rested after trips, for instance, from Columbus, Ohio.

These were very admirable thoughts as to how a dog dealer should operate if he wished to conduct business with NIH. Dr. Cameron displayed the attitude of an annoyed father, almost saying with each new standard that entered his head—you can't live up to that, can you? At one point in the conversation I retorted most emphatically, "I didn't come here to hear you tell me reasons why I shouldn't be in this business, I came to get some business."

William Miller of McConnellsburg, Pa., Mike Kredowsky of Pennsylvania, and Neal Leech of Chase City, Va., were mentioned as the only dealers now supplying NIH. Each has a contract to supply 50 dogs a week. It was suggested that I visit Miller's or Kredowsky's establishments in order to obtain at firsthand an idea of how a conscientious dog dealer abides by legal and humane standards. Miller's barn, according to Cameron, is supposed to be an ideal set-up for holding animals and adhering to all humane standards. Thus, Miller, in Cameron's opinion, was said to be one of the desired dealers from whom labs could purchase. Cameron stated that Mike Kredowsky was by far the most conscientious dealer. The doctor predicted Kredowsky to be the only dealer remaining in business after the humane bills are passed and enacted into law. That seemed to me to be a flagrant contradiction with regard to his opinion of William Miller.

We then went to the parking lot as I had invited Dr. Cameron to inspect my truck. At first glance of the truck he commented how a dealer with whom he was familiar was recently convicted of cruelty charges for overloading in a similar model. I asked if he meant William Miller and Cameron admitted he did. He asked about the truck's capacity. I stated it could carry about 25 to 30 dogs of medium size. He replied, "Well, if the humane society ever catches you they'll have you locked up."

In summary, Cameron, knowing that I appeared to be an unscrupulous person, asked if I could abide by their standards. If I could I was to go to the procurement office and obtain an application blank. I did so and got a list of NIH requirements and the application form.

FIELD INVESTIGATION REPORT

Date: January 3, 1966.

To: Frank J. McMahon.

Investigator: Declan Hogan.

Date of investigation: December 13, 1965.

Type of investigation: Dog pound.

Name and location of party or facility investigated: City dog pound, Front Royal, Va.

The HSUS found it necessary to investigate the city dog pound of Front Royal, Va.

On December 13, 1965, I arrived in Front Royal, Va., and tried to locate the city pound. Every local citizen whom I asked for directions had a different opinion as to where the pound was located. First, I was told the city pound no longer existed and I was directed to go to the Wagner Humane Shelter on Luray Avenue. Others insisted the pound was located on Happycreek Road, while some said it was on Water Street. I was told the pound was closed temporarily due to construction at a new site. There was no listing in the phone directory, and telephone information could only recommend calling the sheriff's office. I finally went to the office of the chamber of commerce and was given correct information on the pound's location. Oddly enough, the pound is situated in a neighborhood that I had been directed earlier, but inquiries here only resulted in people saying that it was on the other side of town. This was told to me by several people who live a mere 400 yards from the pound.

The pound is located on city property next to the city garage, directly in back of the Bing Crosby Stadium. I had been on this property earlier but did not see anything that resembled a dog pound. I soon discovered that a building I had assumed to house electrical conduits or something similar was actually the city pound.

The building is constructed of concrete blocks and is approximately 10 feet wide by 15 feet long and 7 feet high. It has no outside runs, no windows. Small ventilation slots (6 inches by 4 inches) are placed high along the exterior walls. Light in the building, what little there is, is provided by the roof, made of a dark, translucent material. There was no sign on the building saying that this was the city pound. It is my opinion that the building lacks facilities for euthanasia, water, and heat.

Employees of the city garage, located next to the pound, informed me that the dog warden, a man by the name of Morrison, was only present when he unloaded strays he had picked up. I was given Morrison's phone number which I called several times but to no avail.

While at Front Royal I visited the Julie Wagner Humane Shelter. In sharp contrast with the city pound the shelter is absolutely magnificent, having all the facilities for proper humane care and treatment of animals. It even has a bathtub for cleansing animals before placing them in the kennel.

Employees at the humane shelter said the city appropriated very meager funds for the operation of the pound. They stated that Morrison was quite underpaid, which is a reason why there was no one present at the pound. If a person desired to retrieve an impounded pet they had to call Morrison at his home. How a citizen would know to call him is a rather odd complexity. I was also told that Morrison sometimes brings dogs to the humane shelter because they were too good a breed and he feared selling them to dog dealers. Also, he couldn't afford to keep them at the city pound.

Mr. POAGE. Thank you very much. You have given us a very interesting statement.

We have heard this morning from 25 witnesses. There will be about 30 tomorrow. It will be impossible for me to be here at 10 o'clock in the morning. Mr. Purcell will open the meeting at 10 o'clock tomorrow morning. We will try to give the witnesses their full time.

I will be back as quickly as I can. We do appreciate all of you witnesses attending, whether you have testified for or against these bills, or whatever bill you have testified for or against.

The purpose of this committee hearing is to get a better understanding of this problem, to know what the difficulties are and what action should be taken. We are glad to have had all of you to present your views. We will continue to hear your views tomorrow. We of the committee may, perhaps, have a chance to present questions. We have a great many questions which have been raised with which we would like to deal. I do not feel that we will have too much time for such tomorrow, but should we be able to have any extra time, we will devote it to questions.

Again, let me thank everybody who is here, all those who are going to appear tomorrow.

The committee will stand in recess until 10 o'clock tomorrow morning.

(Whereupon, at 12:12 p.m. the committee recessed to reconvene Tuesday, March 8, 1966, at 10 a.m.)

REGULATE THE TRANSPORTATION, SALE, AND HANDLING OF DOGS AND CATS USED FOR RE- SEARCH AND EXPERIMENTATION

TUESDAY, MARCH 8, 1966

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON LIVESTOCK AND FEED GRAINS
OF THE COMMITTEE ON AGRICULTURE,
Washington, D.C.

The subcommittee met, pursuant to notice, at 10 a.m. in room 1301, Longworth House Office Building, the Honorable Graham Purcell presiding.

Present: Representatives Purcell, Poage, Redlin, Callan, May, and Dole.

Also present: Christine S. Gallagher, clerk; Martha Hannah, staff; Hyde H. Murray, assistant clerk; Fowler West, staff; and John J. Heimbürger, counsel.

Mr. PURCELL. The committee will please be in order. I think that you heard Mr. Poage, the chairman of this subcommittee, say yesterday that he is on the Senate side of the Capitol for a meeting beginning at the present time. He will be in a little bit later and he will take over the chair at that time.

Let me state for whatever good it will do that we realize very well the many views from both sides of this question as to the bills, and that many of you have come a great distance to testify. I think you see the problem we have. There are many people here to wish to testify. They are all very vitally interested in these bills.

We want everyone to be heard. I hope that this morning we can move along with dispatch. I hope everyone will finish their statement. I am not at this time going to limit you to an exact number of minutes in the presentation of your statements, but I do hope that you realize that we should get through as expeditiously as possible to hear everyone who is here for that purpose.

I will try to do as Mr. Poage did yesterday. I will announce the names of one or two of those who follow so that you will know who is coming up at a given time.

Our first witness on the list this morning is Mr. William B. Harrison and following him will be Dr. Sigmund T. Rich.

We will be glad to hear from you now, Mr. Harrison.

STATEMENT OF WILLIAM B. HARRISON, ROCKY MOUNT, N.C.

Mr. HARRISON. Mr. Chairman and distinguished members of the committee, I am William B. Harrison, of Rocky Mount, N.C., and I wish to file a statement on behalf of the United Health Foundations, Inc., of New York, N.Y.

Mr. PURCELL. You may do so.

(The prepared statement of Mr. Harrison follows:)

STATEMENT OF WILLIAM B. HARRISON, ROCKY MOUNT, N.C., ON BEHALF OF UNITED HEALTH FOUNDATIONS, INC., NEW YORK, N.Y.

Mr. Chairman and distinguished members of the committee, my name is William B. Harrison, Rocky Mountain, N.C. I am a businessman (farm supplies and real estate), a volunteer, nonpaid community worker, and a member of the national executive committee of United Health Foundations, Inc., 820 Second Avenue, New York, N.Y.

My statement is based on a 30-year record of interest in health, welfare, and medical research at the local, State, and National levels. It includes service as past president of the North Carolina Junior Chamber of Commerce, the Young Democratic Clubs of North Carolina, and the United Medical Research Foundation of North Carolina, and former councilman and mayor of Rocky Mount, N.C. At present I am Nash County chairman of the Democratic Party; a trustee of the University of North Carolina, and a member of the executive committees of the Rocky Mount United Fund, the Carolinas United Community Services and the United Medical Research Foundation of North Carolina. I represent North Carolina on the National Budget and Consultation Committee which approves the programs and budgets of 33 national voluntary health and welfare organizations, such as the USO and the Jackson Laboratories. The National Budget and Consultation Committee is the major national program and budget review arm for local United Funds and Commodity Chests.

Voluntary health and welfare organizations supported through United Way campaigns rely primarily on voluntary philanthropic contributions from the public and have the full support of major national corporations and organized labor. Last fall, United Fund drives used more than 20 million volunteers to raise \$600 million in 2,200 major communities in the United States and Canada. These funds will be spent in behalf of 30,00 local, regional, and national health and welfare programs. A substantial portion of these funds—about 20 percent—will be spent in the area of health and medical needs, including research.

Here in Washington you are undoubtedly familiar with the United Givers Fund of the National Capital area, which represents the type of organization and interest for which I am speaking.

From this background, I believe I can pass on to you some fairly accurate observations from a nontechnical but informed participant.

The vast majority of our citizens are vitally concerned and interested in medical research and want to see its pace accelerated. They would not like to see anything slow up new medical discoveries that would save lives and reduce human suffering. They are first of all interested in human beings. I believe they will strongly oppose any measures that would create redtape, delay, and waste of precious funds and thereby cause a decrease in either the quantity or quality of medical research.

The public generally is impressed with the record of progress made by both public and private research institutions and programs in the field of medicine and health. It has strong faith and trust in the excellence of their performance to date. In my own experience, which includes close inspection of both the program and facilities of research centers in both the North and South, I have seen that these dedicated men of science have and will continue to care for laboratory animals in a humane manner. Whatever shortcomings exist are due not to lack of concern, but to lack of funds.

As to the stealing of animals for sale to suppliers for institutions, etc. engaging in medical research, it is already a crime by either State or local law and in most cases I believe you will find that, if there is a real need, you will get local laws that will be far more effective because of local enforcement and concern than any Federal law.

United Health Foundations, Inc., approves of the intent and objectives of H.R. 12488, but for reasons stated, believes that the public interest would not be best served by Federal legislation. However, if the committee feels it necessary, it is certainly hoped that certain modifications and eliminations be made such as licensing and recordkeeping by medical and scientific researchers and the inclusion of all animals rather than just pets (dogs and cats).

In conclusion, I strongly urge the committee, individually and collectively, to take a good on-the-spot look at the facilities and practices of research institutions

that are carrying on scientific studies with laboratory animals. I believe you will find, as I did, that they are operated in a very satisfactory manner. The committee will, in my opinion, also reach the conclusion that what is needed is legislation which would improve and expedite research, rather than impede it.

I believe this will meet the needs of human beings to move ahead in medical research consistent with humane and civilized treatment of laboratory animals.

Thank you.

Mr. PURCELL. Our next witness is Dr. Sigmund Rich.

STATEMENT OF DR. SIGMUND T. RICH, LOS ANGELES, CALIF.

Dr. RICH. Mr. Chairman, members of the committee, my name is Sigmund T. Rich. I live at 814 Teakwood Road, Los Angeles, Calif. I am a doctor of veterinary medicine whose professional interests and activities involve the use of animals in research.

While I choose to appear before you today as a private citizen, I think it is pertinent that my qualifications and affiliations be known to you.

I am the administrator for the Animal Care Facilities Center for the Health Sciences, a lecturer in the department of physiology, School of Medicine, and campus veterinarian at the University of California at Los Angeles.

I am a member of the Animal Care Advisory Committee of the California State Department of Public Health, a member of the board of directors of the Animal Care Panel, a member of the American Veterinary Medical Association, California Veterinary Medical Association, and Southern California Veterinary Medical Association, an associate member of the American College of Laboratory Animal Medicine, a consultant to the American Association for Accreditation of Laboratory Animal Care, and a member of the training staff for postdoctoral studies in laboratory animal medicine at the School of Veterinary Medicine at the University of California, Davis.

I am past president of the Medical Research Association of California, a past president of the Southern California Chapter of the Animal Care Panel, and a former U.S. Army Veterinary Corps officer with over 5 years of active duty during World War II. This is a partial list of my professional affiliations.

My daily duties require participation in administration, clinical, teaching, and research activities.

Administrative duties consist of the procurement of animals, feed, cages, equipment and supplies, the hiring, training, and supervision of over 40 people dedicated to the proper care of over 40,000 animals.

The clinical duties of a veterinarian engaged in laboratory animal medicine involve almost all branches of clinical medicine—anesthesia, surgery, diagnosis, treatment, clinical pathology, post mortem examinations, et cetera, for a large number of species.

Teaching duties are performed at several levels. A course is given to graduate students and postdoctoral fellows on the proper use of animals in research. On-the-job training programs for animal caretakers and technicians are held weekly. The highest order of teaching is with the individual investigators who come to us with problems of experimental design, the choice of biological model, undesirable variables of all kinds that affect their experiments.

Our research activities are of an applied nature usually arising from the need of investigators. I hope the foregoing would indicate my intensive and active concern for the health and welfare of animals for more than a quarter of a century and evidence I'm "up front on the firing line."

My first purpose in appearing before you today is to register my opposition to a number of bills under consideration by this subcommittee. With all due respects to the honorable Members of Congress who introduced them, these bills—(H.R. 12488, H.R. 9743, H.R. 9750, et cetera)—are unrealistic in terms of execution, detrimental to the health, safety, and general welfare of the people, inimical to medical progress and injurious to our country's valuable livestock and animal pet population.

My second purpose is to tell you something about how constructive laws in California function to serve the public interests, safeguard pet owners and their pets and provide suitable animals for teaching, research, and testing activities.

My third purpose is to suggest a means whereby Congress can obtain knowledgeable assistance to frame constructive and beneficial legislation regarding the effective procurement, proper transportation, kind handling, and the humane care and use of animals required for teaching, testing, and research activities which are vital to the health, safety, and general welfare of the people of the United States as well as their livestock and animal pet population.

As a brief preface, I want to state that I am not opposed to legislation concerning laboratory animals. Let it be clearly understood—I favor and support such legislation when its declaration and purview, its intents and purposes, its provisions and details, its authorities and responsibilities, are based on the policy that—

the public health and welfare depend on the humane use of animals for scientific advancement in the diagnosis and treatment of human and animal diseases, for education, for research in the advancement of veterinary, dental, medical, and biologic sciences, for research in procedures of biologic products, pharmaceuticals and drugs. (Ch. 5, art. 1, par. 1650 of the California Administrative Code.)

As regards to my first purpose—there are a number of points of objection to these bills which undoubtedly have been expressed in greater detail by other members of the various medical professions. To repeat them in general terms briefly:

(a) The bills ignore the need for legislation to assure adequate legitimate supplies of animals, nor do they deal with the total problem.

(b) The bills discriminate in a punitive fashion against only two classes of people—members of the biomedical professions and "dealers."

(c) The bills would not stop the vicious pet thievery practices—in fact—the net effect would probably increase profits and thievery.

(d) The bills would increase the cost of training, testing, and research as well as hamper and delay biomedical progress.

(e) There are existing Federal and State laws in effect covering larceny and illegal transportation of animals.

(f) All 50 States have existing statutes in effect prohibiting cruelty to animals.

(g) The bills would make a Federal crime of animal theft only if the animals stolen were to be used for medical research purposes.

(h) Agency jurisdiction to enforce such laws would present enormous and costly problems.

(i) The definition for the term "dealer" is inadequate, vague, and unrealistic.

(j) The problems of identifying, in a humane manner, all animals intended for research are enormous, costly, and impractical.

As regards to my second purpose, which describe how well constructive laws function. In the city of Los Angeles and the counties of Los Angeles, Ventura, and Orange, there exist laws which protect the public and their pets by containing provisions that lost or strayed animals be held for a period of time after impounding. The animals are held in a local animal shelter, supported by local taxes, and administered by trained public servants—veterinarians and animal control officers. During this period (usually 5 days or more) owners have an opportunity to redeem their pets; prospective owners have a chance to purchase pets for their families.

After it has been determined that the animals are unwanted and unclaimed, they are put to death in a humane fashion or sold to licensed institutions conducting biomedical training, testing, or research. The taxpayers benefit from the sale of the animals. The revenue defrays the costs of operating the animal regulatory agency. The medical institution can be assured of purchasing only unwanted and unclaimed animals for their needs.

There are no "dealers"—no profits—no thievery.

This is the legitimate, proper, logical, and humane way to safeguard the public and their pets. It takes only one simple paragraph in an animal regulatory ordinance to accomplish a multitude of beneficial goals.

I quote from ordinance 1403, county of Orange, State of California :

Section 11. Disposition of impounded animals.

E. Any impounded, unredeemed, and unsold animal which would normally have been destroyed as prescribed by this ordinance may be released upon payment of the impound fee, from the Orange County Animal Shelter to an agency approved by the California State Department of Health, the Orange County health officer and the Orange County veterinary officer to obtain animals and perform medical research.

I submit that the policies of the various "humane societies" and "animal welfare societies" which have been active in the promotion of most of the restrictive bills before this Congress, have fostered the very circumstances under which "dog dealers" came into existence. They have opposed and still oppose, the passage of ordinances which would make it possible for medical research institutions to obtain animals from local animal regulatory agencies, thereby creating "dealers" and the vicious practices that exist. Now they want to correct the situation by passing a law which would force research institutions to purchase dogs and cats only from "licensed dealers" under the threat of "imprisonment for not more than 1 year or a fine of not more than \$10,000" (H.R. 9743). What hypocrisy. Where do they think the "licensed dealers" would obtain dogs and cats?

I quoted excerpts from the Resnick bill.

I now quote excerpts from ordinance 97424 from the Los Angeles Municipal Code, department of animal regulation :

(h) (As amended by ordinance No. 108830.)

Whenever any reputable institutions of learning, hospitals, research laboratories, or their allied institutes in the city of Los Angeles shall make application to the health officer of the city of Los Angeles for permission to use humanely unclaimed impounded animals for the good of mankind and the increase of knowledge relating to the cause, prevention, control, and cure of disease, the health officer, on being satisfied that the said animals are to be so used, shall, from time to time, certify to the department of animal regulation, the names and addresses of said institutions of learning, hospitals, research laboratories, and their allied institutes which he is satisfied will use animals humanely for the purposes above specified.

It shall be the duty of the department of animal regulation to surrender unclaimed impounded animals for such use only when applied for by institutions of learning, hospitals, research laboratories, and their allied institutes which have been certified by the health officer as herein provided. No animal shall be surrendered except as authorized by law.

In order to give the owners of impounded animals time within which to reclaim the same, no animal shall be surrendered for such uses until it has been impounded for a period of at least 5 days.

I hereby certify that the foregoing ordinance was submitted to a vote of the qualified electors of the city of Los Angeles, pursuant to the provision of section 280 of the charter of said city, at a special municipal election held in said city on Tuesday, November 7, 1950, and that said ordinance was approved by a majority of the qualified electors of said city voting thereon at said election.

WALTER C. PETERSON,

City Clerk of the City of Los Angeles.

Effective date November 29, 1950.

Despite misrepresentations such as the hue and cry of "animal seizure law" by the misinformed, emotionally ill, and antiscience fanatics, the voters of the city of Los Angeles overwhelmingly approved this provision after a costly and bitter battle.

Gentlemen, these local statutes, and the existing laws and regulations relating to the care of laboratory animals, title 17 of the California administrative code of the department of public health, are eloquent proof of our desire (at least in the State of California) for constructive, sensible legislation to deal with the sensitive problems concerning the use of animals in research.

And now to my third purpose, which is to suggest a means whereby Congress can obtain knowledgeable assistance to frame constructive and beneficial legislation.

I think that many of us are reacting emotionally (and justifiably so) to the horrible conditions, the pet thievery and other vicious practices of profiteering animal "dealers" which have been scandalously presented in the various news media these past several months.

I sincerely believe that the Members of Congress and the biomedical scientists of this country have the same goals; namely, to establish a favorable legal and social environment in which to provide training and conduct studies that will improve the health and well-being of both men and animals.

We are faced with a huge number of bills which have been referred to two different committees (Agriculture, Interstate and Foreign Commerce). The cross purposes and confusion are so great that all of us are immobilized. We sincerely want to accomplish our mutual goals.

I propose, Mr. Chairman, that you appoint a committee of your choice composed of congressional colleagues, legislative legal coun-

selors, representatives from universities, medical schools, dental schools, schools of public health, veterinary schools, hospitals, government agencies and laboratories, commercial laboratories, and a representative from the Institute of Laboratory Animal Resources (National Academy of Sciences-National Research Council).

As you know, the Academy was established by President Lincoln to provide Congress with advice so far as scientific matters were concerned. The National Research Foundation was established by President Wilson to enable scientists to associate their efforts with those of the limited membership of the Academy in the service of the Nation and at home and abroad.

The Institute of Laboratory Animal Research was founded in 1952 under the auspices of the National Academy of Sciences and acts in an advisory capacity engaged in the dissemination of information on experimental animal research. Its objectives and current programs I would like to submit for the record. This is the proper place to get the information.

Give this committee of knowledgeable and mature people the task of framing a bill that will be beneficial, effective, workable, worthy of support by a majority of both House and Senate, and acceptable to the President of the United States.

Let temporary political expediencies and distracting emotions be set aside. Let us produce forthwith in a cooperative effort a constructive and meaningful law that will be a credit to the combined wisdom of this great Congress and their scientific partners.

(The pamphlet entitled "Institute of Laboratory Animal Research" follows:)

INSTITUTE OF LABORATORY ANIMAL RESOURCES

ORGANIZATION MEMBERS AND ACTIVITIES

National Academy of Sciences-National Research Council, Washington, D.C.,
October 1965

The Institute of Laboratory Animal Resources was organized in November 1952 under the auspices of the National Academy of Sciences-National Research Council. Acting in an advisory capacity, the institute is engaged in dissemination of information and education on experimental animal resources, and the establishment of standards. The advisory council of the institute is composed of 22 members. Offices of the institute are located in the headquarters building of the American Association of University Women, 2401 Virginia Avenue NW., Washington, D.C.

OBJECTIVES

I. (A) To survey and list existing suppliers and sources of animal stocks used in biological (including medical, agricultural, and industrial) research, testing, and assaying.

(B) To ascertain location and numbers of currently available breeds and strains of both laboratory-raised animals and animals obtained from natural environments.

(C) To provide for the perpetuation and maintenance, including emergency financial support, of special and new strains of singular importance for the study of specific problems or diseases.

II. (A) To survey and list present users of animal stocks.

(B) To determine volumes of demand for the various species and strains.

III. To improve the supply of laboratory animals by establishing and promulgating scientific standards of definition, terminology, and tolerable variation by:

(A) Providing information to suppliers and breeders on improving the quality of species and strains, genetic inbreeding, housing, breeding techniques, care, feeding, and disease prevention and treatment.

(B) Defining species and animals available from natural sources and encouraging the collecting, breeding, and improving of these species, particularly those imported from distant and unreliable source areas.

(C) Suggesting the introduction of new animals for experimental use and new breeds for specific uses.

IV. To collect and disseminate information on animals most suitable for specific types of investigations and assays, including the determination of specific susceptibilities and resistance of animal strains in important areas of research and assaying (e.g., climatic and parasitologic conditions, nutritional deficiencies, radiation, drugs).

V. To act as a clearinghouse for the collection, correlation, evaluation, and dissemination of information of value to animal suppliers and users and for cooperation with other interested groups.

VI. To help, in natural and other emergencies:

(A) Devise means of meeting promptly a sudden increase in demand for given animal stocks;

(B) Procure emergency supplies and animal stocks;

(C) Obtain animals from distant areas and particularly from natural sources;

(D) Collect information concerning ability of suppliers to expand facilities and production;

(E) Promote studies on use of alternate strains of animals for experimental use;

(F) Anticipate changes in major needs of animals; and

(G) Recommend relocation of key stocks in event of disease epidemics or insecurity of areas.

VII. To promote the comparative study of extrapolation of animal data to conditions in man.

VIII. To promote international exchange of information and of specialized stocks and assist in securing needed replacements or new stocks.

IX. To promote improvements in the transportation, quarantining, distribution, and care of laboratory animals.

CONTRIBUTIONS

Contributions for support of the work of the Institute of Laboratory Animal Resources may be sent to the Treasurer of the National Academy of Sciences-National Research Council, 2101 Constitution Avenue NW., Washington, D.C., 20418. It should be indicated that the contribution is for the Institute of Laboratory Animal Resources.

CONTRIBUTORS

Organizations that have contributed to the support of the Institute of Laboratory Animal Resources in 1965 to date are:

Government:

Atomic Energy Commission.

Department of Defense.

National Institutes of Health.

Private:

Abbott Laboratories.

Allied Mills, Inc.

American Cancer Society, Inc.

Applied Biological Sciences Laboratory, Inc.

Bio-Science Laboratories.

Burroughs Wellcome & Co. (U.S.A.), Inc.

The Charles River Breeding Laboratories, Inc.

Geigy Research Laboratories.

Gillette Medical Research Institute.

Girton Manufacturing Co.

Hazleton Laboratories, Inc.

Hoffman-LaRoche, Inc.

Johnson & Johnson.

Lakeside Laboratories.

Leberco Laboratories.

Lehigh Valley Electronics.

The Lilly Research Laboratories.

Maryland Plastics, Inc.

Merck Sharp & Dohme Research Laboratories.
 Microbiological Associates, Inc.
 Miles Laboratories, Inc.
 Ortho Pharmaceutical Corp.
 The Pet Farm.
 Primate Imports Corp.
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 South Shore Analytical and Research Laboratory, Inc.
 Southwest Foundation for Research and Education.
 The Squibb Institute for Medical Research.
 Wallace Laboratories.
 Warner-Lambert Research Institute.
 Wyeth Laboratories, Inc.

CURRENT PROGRAM

Standards: The institute's committees on standards are charged with the development of standards in the areas of facilities, transportation, nutrition, breeding, sanitation, disease prevention, and use. Currently available are standards on the breeding, care, and management of mice, rats, hamsters, guinea pigs, cats, dogs, rabbits, primates (*Macaca mulatta*); the shipping of dogs; the utilization of test animals; transportation of small laboratory animals; and the shipment of laboratory primates. In preparation are poultry standards, genetic standards, laboratory animal quality standards, laboratory animal procurement standards, health standards for international shipment of laboratory animals, and primate standards (other than rhesus).

Information: The ILAR Information Center answers more than 2,000 inquiries annually on laboratory animal topics. *Animals for Research*, a directory of sources of laboratory animals (domesticated and wild), equipment, and materials, is published annually. A comprehensive list of users of laboratory animals is prepared and distributed annually. The institute's newsletter, "Information on Laboratory Animals for Research," is distributed without charge quarterly to 2,000 researchers in the United States and 40 foreign countries.

Technician training: The Subcommittee on Technical Education acts as a consultant to groups interested in offering or obtaining training in animal care, breeding, and maintenance. Assistance with course design, course content, curriculum, staff, printed information, and visual aids is provided.

Conferences: The institute provides, through its conference series, a forum for the discussion of important laboratory animal problems. Conferences and workshops have covered the topics of animal standardization and accreditation, primate resources, procurement of animals from the wild, inbred-mouse production and cell culture, research animal housing, gnotobiotic technology, infections of laboratory animals potentially dangerous to man, animal technician training, and graduate education in laboratory animal medicine.

Special projects: The ILAR maintains a professional staff and consultants who are available for special projects in research animal resources. Examples of such projects are site consultations on the construction of new animal quarters, arranging itineraries for foreign visitors, and the design of special workshops in laboratory animal technology.

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For further information write Institute of Laboratory Animal Resources, National Research Council, 2101 Constitution Avenue, NW., Washington, D.C., 20418.

The National Academy of Sciences—National Research Council is a private nonprofit organization of scientists, dedicated to the furtherance of science and to its use for the general welfare.

The Academy itself was established in 1863 under a congressional charter signed by President Lincoln. Empowered to provide for all activities appropriate to academies of science, it was also required by its charter to act as an adviser to the Federal Government in scientific matters. This provision accounts for the close ties that have always existed between the Academy and the Government, although the Academy is not a governmental agency.

The National Research Council was established by the Academy in 1916, at the request of President Wilson, to enable scientists generally to associate their efforts with those of the limited membership of the Academy in service to the Nation, to society, and to science at home and abroad. Members of the National Research Council receive their appointments from the president of the Academy. They include representatives nominated by the major scientific and technical societies, representatives of the Federal Government designated by the President of the United States, and a number of members-at-large. In addition, several thousand scientists and engineers take part in the activities of the Research Council through membership on its various boards and committees.

Receiving funds from both public and private sources, by contribution, grant, or contact, the Academy and its Research Council thus work to stimulate research and its applications, to survey the broad possibilities of science, to promote effective utilization of the scientific and technical resources of the country, to serve the Government, and to further the general interests of science.

Mr. PURCELL. Thank you very much, Dr. Rich.

Next we will hear from Dr. Clarence Dennis, who will be followed by Dr. Bullock.

STATEMENT OF DR. CLARENCE DENNIS, CHAIRMAN, DEPARTMENT OF SURGERY, STATE UNIVERSITY OF NEW YORK DOWNSTATE MEDICAL SCHOOL, ALSO REPRESENTING THE INTERNATIONAL CARDIOVASCULAR SOCIETY

Dr. DENNIS. Mr. Chairman and members of the committee, I am Dr. Clarence Dennis, chairman of the department of surgery at the State University of New York Downstate Medical School, and also represent the International Cardiovascular Society. My primary responsibility as a professor of surgery is education, firstly of students in medical school and secondly of medical graduates who seek to become well-trained surgeons.

I shall clarify to you that the proposed bills as written aside from being unnecessary in the light of existing laws, are a serious threat to the health of all of us.

During the past 30 years, there has been an explosion of scientific progress with no previous counterpart in the history of mankind. The advances have been too rapid to be grasped in full by even the most brilliant mind, and the scientific panorama about us is changing with breathtaking rapidity. Twenty years ago poliomyelitis was rampant; today research has made it rare.

Twenty years ago congenital defects within the heart could not be surgically corrected; today open-heart operations are brilliantly effective, developed through work with dogs. Twenty years ago damage to the arteries and great vessels, whether from injury or from the changes associated with age, could not be consistently repaired, and patients with incipient gangrene of the feet, either with or without diabetes, nearly always lost either their legs or their lives; today successful repair or replacement has become commonplace, again as a result of work on dogs. These are but a few examples.

A corollary of this rapid expansion of scientific activity has been an immense increase in the volume of the scientific literature. It is that scholar with an intellect critically trained and cultured in the processes of sound scientific investigation who can best sift in the literature the real from the unreal, the true from the untrue, the promising from the unpromising, the safe from the unsafe. The life of any one of us may depend today or tomorrow upon the exercise of such critical judgment.

The basic introduction to the methods of research and to the patterns of thought in research enables the student to gain the same critical analytical approach to everything he may seek to learn in the medical world. To an alert doctor, every patient represents an individual research problem. The student is therefore taught the methods of research analysis and approach, in order that he may use them in that fashion most favorable to the patient.

While my presentation of the importance of basic research experience in the education of a good doctor or investigator may not have been appreciated by some who listen, the paramount importance of

basic animal experimentation to progress in the provisions of health measures to mankind is obvious to all who care to understand and think.

Within the past few months, noisy publicity upon some instances of dishonest and evil methods in providing animals for sale to reputable and indeed highly esteemed educational institutions had led to a change in the laws of Pennsylvania aimed particularly at dogs to be utilized for experimental purposes. A result has been strangulation of our flow of appropriate animals.

The result of this in turn has been serious compromise of our medical educational processes and research endeavors in Brooklyn. Teaching programs have had to be curtailed at the expense of the education provided. Research programs have been curtailed at increased cost to all as taxpayers, and our effectiveness in helping you has been hampered.

I may seem that I have concentrated upon the need for proper utilization of certain experimental animals in our activities toward the betterment of mankind, rather than upon the problems relating to animal dealers with which the bills under consideration are concerned. The bills in question, I call upon you to note, will be crippling to the training of the quality of doctors which the Nation deserves as well as to the improvement of our knowledge on how to deal with disease unless changed as scientific testimony has suggested. They therefore constitute a threat to the health of all of us.

Mr. PURCELL. Thank you very much.

We will now hear from Dr. Bullock, who will be followed by Dr. Dieterich.

STATEMENT OF DR. LEWIS T. BULLOCK, LOS ANGELES, CALIF.

Dr. BULLOCK. Mr. Chairman and members of the committee, I am Dr. Lewis T. Bullock. I practice internal medicine in Los Angeles, Calif. I am a clinical professor of medicine at the University of Southern California Medical School. I speak for the California Society for Medical Research.

We are strongly and completely opposed to dog snatching. As the owner of two dogs, two cats, and two horses, I want my animals protected. We are dedicated to improving the welfare and health of all animals, particularly laboratory animals. We actively support legislation such as the Roybal bill which will make a sound and effective contribution to the welfare of laboratory animals. We are conscious of the fact that major forces will appear before you which are not really devoted to the welfare of laboratory animals but are dedicated to the obstruction of medical research.

The charge that there are animal dealers in the country who operate by stealing pets and selling them to research laboratories indicates a social problem. It is important that this problem be viewed with perspective. It is highly important that we learn and appreciate the lessons of history. Such social problems have obtained before and we should remember how they were solved.

In the 14th century there arose a need for the teaching of anatomy. It was clearly recognized that the doctors who were to practice surgery required a knowledge of anatomy but there was no legal source

of bodies for anatomical dissection. The only possible solution was the removal of bodies from the graves. In 1329 in Bologna, Italy, there was the first prosecution for body snatching or grave robbing for anatomical material.

This discrepancy between the social need for the training of physicians and surgeons in anatomy and the lack of anatomical material persisted for 500 years. It led in England and America to the development of the skilled resurrectionist or body snatcher. In the dark of night the recent grave would be opened at the top, the body withdrawn, and grave recovered. The anatomist asked no questions as to the source of the material. But when the removal of a body was discovered, the public became highly indignant. There was a major reaction against scientists and medical schools on the part of the public because of the belief that the schools were engaged in body snatching.

In 1765 the house of Dr. William Shippen in Baltimore was attacked by a mob because it thought he had used stolen bodies for his teaching of anatomy. In 1788 there was a riot in Baltimore, and another in 1807. In 1824 the Yale Medical School was attacked and severely damaged by a mob. There was a very major riot in New York City requiring the militia for control. Very many laws were passed with severe penalties for body snatching. These restrictive laws, however, had little effect and the practice continued.

The acute discrepancy between the social need of training physicians in anatomy and the lack of legal material led not only to grave robbing but to murder. The most famous example is that of Burke and Hart in Edinburgh who suffocated 16 people and sold their bodies to an anatomist before being discovered. This led, in 1821, to the Warburton Anatomy Act whereby a legal source of bodies was supplied to anatomists and medical schools. This led to the disappearance of the grave robber in England.

In America the need for a legal solution was finally recognized. Following the attack on the Yale Medical School, Connecticut passed an anatomical law making unclaimed bodies available to medical schools. Similar laws gradually spread and now every State has a curator of the unclaimed dead or a similar officer who supplies bodies to medical schools for anatomical dissection. We no longer have the problem of the body snatcher or grave robber.

We do, however, have a similar problem in regard to laboratory animals. The Government wants improvement in health. It recognizes that research is required. It knows that laboratory animals are a most important part of the program for improving the health of animals and of man. It is pouring large sums into such research programs. Other parts of the Government operate public pounds and destroy very large numbers of dogs and cats. This makes it possible for the dealers to sell dogs and cats to research laboratories. The laboratories have no possible way of knowing the source of the material. The possibility of some of the animals being stolen cannot be excluded. The only possible solution is to make animals from all public pounds available to research laboratories. The scientists prefer that all animals used in laboratories first be held in a public pound while a strenuous effort is made to return all pets to their owners.

Opening the public pounds would eliminate the dog dealer. It would do away with the possibility of pet stealing. It would reduce

the cost of research and protect the taxpayer. It would provide a source of income for the operation of the pound. Restrictive laws will not solve the problem of pet stealing any more than restrictive laws prevented body snatching. If the Congress used its influence to encourage local governments to make animals from public pounds available to research laboratories, we would have a solution in the best interest of all concerned.

We call your attention to the fact that the pressure for a law licensing animal dealers is only one part of a major campaign to interfere with medical research. The passage of this law will only lead to further pressure for further restrictive measures. The bias behind this pressure is indicated by the fact that the law refers only to animals to be sold to research laboratories. The forces behind it apparently do not care if valuable animals are stolen for sale to anyone outside of a research laboratory. As a pet owner, I am opposed to dog stealing for any purpose. If Congress is truly interested in the welfare of animals, it will eliminate all reference to research laboratories in this law and make it apply to dog dealers in general.

We understand that another bill is to be introduced which will approach the problem on a uniform basis and not be directly aimed at research laboratories. If the Congress is sincerely interested in the problem, it should avoid being involved in the program of the humanics. If Congress is to act at all in this field, we would strongly urge that it avoid the Resnick and Poage bills and adopt the new one which we understand will be introduced.

(The document entitled "Suggested Modifications for H.R. 9743" follows:)

SUGGESTED MODIFICATIONS FOR H.R. 9743

To authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to protect the owners of dogs and cats from theft of such pets and to prevent the sale of stolen dogs and cats, it is essential to regulate the transportation, purchase, sale, and handling of dogs and cats in interstate commerce.

SEC. 2. DEFINITIONS.—When used in this Act—

- (a) The term "person" includes any individual, partnership, association, or corporation.
- (b) The term "Secretary" means the Secretary of Agriculture.
- (c) The term "commerce" means commerce between any State, territory, or possession, or the District of Columbia or Puerto Rico, and any place outside thereof; or between points within the same State, territory, or possession, or the District of Columbia, but through any place outside thereof; or within any territory or possession or the District of Columbia.
- (d) The term "cat" means any live domestic cat (*Felis catus*).
- (e) The term "dog" means any live dog of the species *Canis familiaris*.
- (f) The term "dealer" means any person who for profit transports or buys and sells dogs and cats in commerce, transport excludes common carriers otherwise regulated.

SEC. 3. It shall be unlawful for any dealer to sell or offer to sell or to transport any dog or cat, or to buy, sell, offer to buy or sell, transport or offer for transportation in commerce or to another dealer under this Act any such animal, unless and until such dealer shall have obtained a license from the Secretary in accordance with such rules and regulations as the Secretary may prescribe pursuant to this Act, and such license shall not have been suspended or revoked.

SEC. 5. The Secretary is authorized to promulgate standards to govern the interstate handling and transportation of dogs and cats by dealers and to promote animal health, well-being, and safety.

SEC. 6. All dogs and cats, transported, purchased, or sold in commerce shall be marked or identified in such manner as the Secretary may prescribe.

SEC. 7. Dealers shall make and keep such records with respect to purchase, sale, transportation, and handling of dogs and cats as the Secretary may prescribe.

SEC. 8. The Secretary shall take such action as he may deem appropriate to encourage the various States of the United States to adopt such laws and to take such action as will promote and effectuate the purposes of this Act and the Secretary is authorized to cooperate with the officials of the various States in effectuating the purposes of this Act and any State legislation on the same subject.

SEC. 9. The Secretary is authorized to promulgate such rules, regulations, and orders as he may deem necessary in order to effectuate the purposes of this Act.

SEC. 10. Any dealer who violates Section 4 of this Act shall, on conviction thereof, be subject to imprisonment for not more than one year or a fine of not more than \$10,000.

SEC. 11. If the Secretary has reason to believe that a dealer has violated any provision of this Act or the regulations promulgated thereunder, the Secretary may suspend such dealer's license temporarily, and, after notice and opportunity for hearing, may revoke such license if such violation is determined to have occurred.

SEC. 12. If any provision of this Act or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this Act and the application of any such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 13. In order to finance the administration of this Act, the Secretary shall charge, assess, and cause to be collected reasonable fees not in excess of \$50.00 for licenses issued to dealers. All such fees shall be deposited and covered into the Treasury as miscellaneous receipts.

SEC. 14. This Act shall take effect six months after enactment.

Mr. PURCELL. Thank you very much.

Next is Dr. William Dieterich. Is Dr. Dieterich in the room?

(No response.)

Mr. PURCELL. We will now hear from N. R. Brewer, who will be followed by Ralph Mayer.

We will be glad to hear from you now, Dr. Brewer.

STATEMENT OF DR. N. R. BREWER, UNIVERSITY OF CHICAGO, CHICAGO, ILL.

Dr. BREWER. My name is N. R. Brewer. I have a veterinarian degree and a Ph. D. in physiology. I am the director of animal care at the University of Chicago. I am here testifying for the Chicago Branch, Animal Care Panel.

I have been affiliated with the care and use of animals for over 40 years and have been directly responsible for the care of laboratory animals for those of the profession for over 20 years, and in all of this time I have become convinced that the medical profession, at least that phase of it which has to do with the research for the relief of suffering in mankind is probably the greatest humanitarian group in this world. During all of this experience any cases of neglect of laboratory animals that I have seen—and there have been very few, has been primarily that of misinformation or a lack of information, and these have been corrected.

And most research instances involve faculty members who are very much alert to the need for more information by this large and growing industry and they take to it very kindly. Witness that a large and growing number of veterinarians are now affiliated with the direct care of laboratory animals.

The Chicago Branch, Animal Care Panel, has a membership of some 300 individual and institutional representatives in the Chicago area, including members from all of the medical schools, the large teaching and research hospitals, and the pharmaceutical agencies.

The Chicago Branch, Animal Care Panel, conducts symposia related to laboratory animal care, and has carried on teaching programs of proper care, handling, and use of laboratory animals, working in conjunction with the Anti Cruelty Society of Chicago.

I might mention in this connection that I, at least, have worked very closely with the American Humane Association on Transfer of Patient Committee and I see no fundamental conflict between the legitimate humane groups and the groups that are fundamentally involved in the care of laboratory animals. I do see a conflict with the biological illiterates who write in literature, who do not know enough about what they are writing and have as a main audience other biological illiterates. It is very difficult to work with such people.

The Chicago Branch, Animal Care Panel is in complete agreement that animals should not be stolen for any purpose, and has no quarrel with any legislation that would tend to eliminate thievery in any form. We also agree that licensing and proper supervision of dealers of dogs and cats by the Department of Agriculture could be of benefit to research and teaching organizations.

Although we would not oppose such legislation, we have serious reservations about the extent of stealing of dogs that has been reported. In over 20 years of professional work in laboratory animal care in the Chicago area there has been no evidence of a single instance of a stolen dog finding its way into a research laboratory.

I would like to emphasize that we have shown many people who have lost their dogs through our quarters. Some of them have come long distances because they had "information" that their dog was taken to our laboratory. And in almost every case, I think without exception, the individuals who went through the laboratory were very much impressed with the good care given the animals and many of them expressed the fact that they had been misinformed by those who would interfere with the medical research. There have been dogs recovered from our laboratories who were pets, but these, in every case, came from pounds where they would otherwise have been killed, and the owner would not have had a chance to recover them.

So that in these particular cases the pound laws have helped in the recovery of the lost dog.

The Chicago Branch, Animal Care Panel believes that H.R. 1248 and similar bills that would license laboratory animal dealers, and bills like H.R. 5191 that have to do with laboratory animals care in research and teaching institutions are separate issues and should not be combined in one bill. We believe that H.R. 12488 or any other bill would be strengthened by deleting reference to research institutions. Stealing a dog to be sold as a pet is no less a crime than is stealing a dog for research.

The Chicago Branch, Animal Care Panel believes that H.R. 12488, and similar bills, would be strengthened by limiting its jurisdiction to dogs and cats only. Extending its jurisdiction to armadillos, gerbils, and teleostones would make the bill difficult to administer.

The Chicago Branch, Animal Care Panel believes that animals purchased from dealers that operate for profit should be purchased only from such dealers that are licensed, but that the responsibility of the research or teaching institution should end with that restriction.

The reason that I say it that way, that we should not be limited to purchasing dogs from the pound or the animal shelters, but should be allowed to have use of them instead of the animals being killed, or be limited to purchasing them in other fashions, we should be permitted to buy them from legitimate owners who are willing to say that it is their dog and they know what it is to be used for.

Further this should not prevent the acquisition of dogs from municipal pounds, animal shelters, or other nonprofit groups, or from individual owners who may prefer to have a dog it can no longer keep used for intelligent research rather than have it killed to no useful purpose.

Mr. PURCELL. Thank you very much, Dr. Brewer.

At this point I should like to place in the record, without objection, a statement of the American Veterinary Medical Association, together with a letter dated March 7, from the Carnegie Institution of Washington.

(The statement of the American Veterinary Medical Association and the letter dated March 7, 1966, follow :)

STATEMENT OF THE AMERICAN VETERINARY MEDICAL ASSOCIATION

Mr. Chairman and members of the committee, the American Veterinary Medical Association appreciates this opportunity to present its views to the committee concerning H.R. 12488. We interpret the provision of H.R. 12488 to be directed toward prevention of theft of dogs and cats and the protection of such stolen animals from inhumane handling. These laudatory purposes are supported by the American Veterinary Medical Association and, we hope, by every thoughtful person.

Each theft brings its own heartache to grieving owners. The American Veterinary Medical Association has always been and continues to be alert to every opportunity to prevent such thefts, to strengthen ways to apprehend and punish the thieves, and to prevent or to relieve inhumanity to animals involved. Our members work closely with local officers enforcing State and local laws in pursuit of these objectives. Most localities have adequate legislation for these purposes. The strength of legislative authority and subsequent enforcement depends upon the interest and activities of the local people.

Recent widely known exposés of theft of dogs and cats have involved certain irresponsible animal dealers. If this committee deems Federal action necessary, such action should be directed toward supervision of animal dealers to eliminate theft by unscrupulous individuals and to protect animals, owners of animals, and research scientists.

It is also well known that a legitimate animal dealer and an occasional research facility have unknowingly purchased a stolen animal. We hope that this committee in its deliberations will recognize that most animal dealers do not stoop to theft and that the research facility needs to be protected against the unwitting purchase of an unidentified, beloved pet. We hope that a research facility will not be hampered or chastized in obtaining experimental animals to be used for collecting data required by Federal regulations for establishing the safety and effectiveness of medicines for man.

Application of H.R. 12488 only to dogs and cats would protect enough species of animals. The States already have laws applying to dealers in farm animals; and Federal legislation applying to other species of animals seems unnecessary. In our opinion H.R. 12488 does not adequately recognize existing State and municipal laws guiding the respective officers in their regulation of traffic in animals.

The language in H.R. 12488 makes it apply almost exclusively to "animals to be used for purposes of research * * *." Apparently ignored are thefts of dogs and cats for various other purposes, namely, the unscrupulous hunter who steals a good bird dog for a weekend and then leaves the dog to fend for itself in a strange countryside. Ignored also is theft of purebred dogs and cats for sale in a distant community as pets. We think that H.R. 12488 should apply to all theft of dogs and cats.

At some stage in its deliberations the committee should give consideration to certain private, voluntary proposals for identifying pets, namely, by tattooing the social security number of the owner unobtrusively on the skin of his animals. If such a program were supported by breed associations, it would undoubtedly be successful and would avoid the proposed governmental costs and measures that some persons may characterize as interference with private affairs. However, if the committee should think otherwise and believe that legislation is necessary, we recommend that the provisions of H.R. 12488 be subsequently modified for the reasons given above. As an aid to the committee our staff has prepared amendatory language for your consideration. If the committee desires, members of our staff will be glad to work with the committee staff in further review of the proposal. A copy of our suggested amendments is attached to this statement.

Mr. Chairman, this completes our statement. Again, we express our appreciation for this opportunity to make known our views and to offer any further assistance that the committee may desire. Thank you for your attention.

DON H. SPANGLER, D.V.M., *President.*

ADDENDUM TO THE STATEMENT OF THE AMERICAN VETERINARY MEDICAL ASSOCIATION

The American Veterinary Medical Association is opposed to the provisions in H.R. 12488 which would license, regulate, and police a research facility purchasing dogs and cats for scientific experiments. These provisions seem unnecessary and unfair to scientists who in good faith purchase animals from dealers.

The procurement, transportation, handling, and sale of a stolen animal is the responsibility of the dealer. The correctness of this philosophy is substantiated by the several laws and regulations for the licensure and control of dealers in livestock administered for years by the United States and a majority of the State departments of agriculture. Furthermore, these measures provide a pattern and even a mechanism for licensure and control of dealers in dogs and cats.

The Federal authority (USDA) guards the welfare of animals—

- (1) By controlling disease under the various animal quarantine acts.
- (2) By assuring the public of fair dealing in a federally approved and supervised market (posted market) under the Packers and Stockyards Act of 1921, and
- (3) By preventing inhumane handling, exposure, and overcrowding principally under the "28-hour law."

The authority of the various States supplements the Federal regulations above by regulations adopted to local conditions; viz, smaller stockyards and sales barns, special geographic problems, etc.

The philosophy, pattern, and, to a considerable extent, the machinery exists now at both the Federal and State levels to license and regulate dealers in dogs and cats. The existing livestock regulatory apparatus has adapted itself in recent years to the dispersion of livestock dealer operations from a large rail center into multiple small units scattered over a given locale. On the other hand, the volume of sales in dogs and cats is claimed by proponents of H.R. 12488 to have reached huge proportions and to involve increasingly larger dealerships. These inverse developments emphasize the logic, propriety, and economy in using existing Federal and State facilities for the supervision of animal dealers in dogs and cats.

It is the responsibility of this committee to decide whether to utilize existing or to create new machinery to properly protect the general public and the scientific community against the occasional use of a beloved but stolen pet in a scientific experiment.

Repeatedly during past decades, the public through its congressional representatives has directed that new medicines and procedures must be proved both safe and effective (which requires animals) before being used on man or other

animals. Enlargement of the medical welfare and research programs by congressional mandate has required increased use of test animals by scientists. It is both fitting and proper that this committee consider measures to protect the scientific community by licensure and supervision of dealers in dogs and cats.

SUGGESTED AMENDMENT OF H.R. 12488

To authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats in interstate and foreign commerce, to cooperate in the enforcement of State and local laws, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That, in order to protect the owners of dogs and cats from theft of such pets and to prevent the inhumane handling, or other improper use of stolen dogs and cats it is essential to regulate the transportation, purchase, sale, and handling of dogs and cats by persons or organizations engaged in transporting, buying, or selling such animals.

SEC. 2. Definitions: When used in this Act—

(a) The term "person" includes any individual, partnership, association, or corporation.

(b) The term "Secretary" means the Secretary of Agriculture.

(c) The term "commerce" means commerce between any State, territory, or possession, or the District of Columbia or Puerto Rico, and any place outside thereof; or between points within the same State, territory, or possession, or the District of Columbia, but through any place outside thereof.

(d) The term "cat" means any live domestic cat (*Felis catus*).

(e) The term "dog" means any live dog of the species *Canis familiaris*.

(f) The term "State officials" means any person duly employed or authorized by State or local authorities to enforce requirements pertaining to the protection and humane handling of dogs and cats.

(g) The term "dealer" means any person who for compensation or profit delivers for transportation, transports, boards, buys, or sells dogs or cats in commerce.

SEC. 3. It shall be unlawful for any dealer to buy, sell, offer to buy or sell, transport or offer for transportation in commerce or to another dealer under this Act any dogs or cats, unless and until such dealer shall have obtained a license from the Secretary in accordance with such rules and regulations as the Secretary may prescribe pursuant to this Act, and such license shall not have been suspended or revoked.

SEC. 4. The Secretary is authorized to promulgate standards to govern the handling and transportation of dogs and cats by dealers to promote their health, well-being, and safety.

SEC. 5. The Secretary may require that all dogs and cats delivered for transportation, transported, purchased, or sold in commerce shall be marked or identified in such manner as the Secretary may prescribe.

SEC. 6. Dealers shall make and keep such records with respect to their purchase, sale, transportation, and handling of dogs and cats, as the Secretary may prescribe.

SEC. 7. The Secretary may require that persons or organizations engaged in the purchase, sale, or transportation of dogs or cats in commerce keep such records as may be necessary to effectuate the purposes of this Act and such records shall be available for inspection by the Secretary or his representative for a period of one year.

SEC. 8. The Secretary shall take such action as he may deem appropriate to encourage State officials to cooperate with him in the enforcement of this Act and the Secretary is authorized to cooperate with the officials of the various States in effectuating the purposes of this Act and of any State legislation or local ordinance on the same subject.

SEC. 9. The Secretary shall take such action as he may deem appropriate to assist State, county, and city authorities in the adoption of laws and ordinances to effectuate the purposes of this Act within their respective jurisdictions.

SEC. 10. The Secretary is authorized to promulgate such rules, regulations, and orders as he may deem necessary in order to effectuate the purposes of this Act.

SEC. 11. Any person who violates any provision of this Act and any regulation promulgated thereunder shall, on conviction thereof, be subject to imprisonment for not more than one year or a fine of not more than \$10,000.

SEC. 12. When construing or enforcing the provisions of this Act, the act, omission, or failure of any individual acting for or employed by a dealer, within the scope of his employment or office, shall be deemed the act, omission, or failure of such dealer as well as of such individual.

SEC. 13. If the Secretary has reason to believe that a dealer has violated any provision of this Act or the regulations promulgated thereunder, the Secretary may suspend such dealer's license temporarily, and, after notice and opportunity for hearing, may revoke such license if such violation is determined to have occurred.

SEC. 14. If any provision of this Act or the application of any such provision to any person or circumstances shall be held invalid, the remainder of this Act and the application of any such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 15. In order to finance the administration of this Act, there are authorized to be appropriated such sums as may be necessary. The Secretary shall charge, assess, and cause to be collected reasonable fees for licenses issued to dealers in amounts reasonably calculated to defray the costs of administration of this Act. All such fees shall be deposited and covered into the Treasury as miscellaneous receipts.

SEC. 16. Effective date: This Act shall take effect one hundred and eighty days after enactment.

CARNEGIE INSTITUTION OF WASHINGTON,
DEPARTMENT OF EMBRYOLOGY,
Baltimore, Md., March 7, 1966.

Hon. W. R. POAGE,
Chairman, Subcommittee on Livestock and Feed Grain,
Longworth House Office Building, Washington, D.C.

DEAR MR. POAGE: Proponents of bills to protect owners from the theft of animals and to prevent stolen pets from being sold to laboratories have devoted almost exclusive attention to the humane motivation for the legislation, whereas any benefits that may be conveyed to either animals and their owners depend not at all on the fervor or number of the proponents but on the specific provisions of the legislation. Ironically, specific provisions of the bills being supported are not likely to achieve the laudable objectives.

Failure is predictable, because no means are provided for distinguishing an originally stolen animal from an originally ownerless one. It will therefore be impossible to prevent the former and not the latter from being sold to a laboratory.

The distinction must be made before an animal reaches the first dealer in the chain of supply to laboratories. Unless that is done, and cleared animals distinctively marked, all the paperwork prescribed for the successive dealers is beside the point. If it is done, it will be feasible to shorten the time that animals must remain in the hands of dealers by removing the requirement of 5-day waiting periods between each change of ownership.

If the first dealer collects loose animals, the distinctions between stolen, lost, or ownerless animals tend to be inadequate. That is one present source of difficulty. To eliminate it, licensed dealers should be prohibited from collecting loose animals.

If the first dealer raises his own animals, there is no risk of his selling stolen ones, but the cost is quite high and will ultimately be paid by the public.

If the first dealer can obtain animals from a pound, one can be sure that they have been screened. Pets and their owners are given the best possible protection, because lost pets are held for a reasonable time near their homes in a facility that is well known and accessible for inquiry. Owners of animals with license tags may even be notified, because pounds are staffed by people with access to information for identifying the owners. Moreover, they are dedicated to the interests of pet owners and animals rather than to profit from the sale of animals. The last consideration makes the pound the most humane collecting agency also for ownerless animals. Of special relevance to the bills in question, if the first dealer can obtain animals from a pound at the cost of collecting them or less, his motivation to steal pets will have been removed. Moreover, making unclaimed animals available instead of letting them be uselessly destroyed en masse as at present would increase the total supply of animals and thereby reduce the pressure of demand that has led some dealers to collect loose animals, some of them pets.

Unclaimed animals are a valuable national natural resource that should be used for human welfare, not wasted.

Improved screening and utilization would help research, would help animal dealers, and would help pets and their owners. Since the interest of all would be served, one should expect agreement to bills that prohibited animal dealers from collecting loose animals and restricted that activity to public or humane society pounds. The pounds, in turn, should be required to make all healthy unclaimed animals available to persons who want them for pets, to research facilities, or to licensed dealers.

Sincerely yours,

BENT G. BÖVING.

MR. PURCELL. We will next hear from Mr. Ralph Mayer, and following him will be Dr. McCoy.

STATEMENT OF RALPH MAYER, MINNEAPOLIS, MINN.

MR. MAYER. Mr. Chairman and member of the committee, as an employee of an experimental laboratory, I would like to speak concerning some of the scenes which I have witnessed. Even though I feel the laboratory in which I work is one of the better laboratories, in that it is Government controlled, there is a definite need for improvement. I have seen conditions that my conscience won't forget. I have made suggestions with emphasis to my superiors to no avail, so now I am going to do more and pray for results that have been too long in coming.

The laboratory has facilities for 200 to 300 dogs. It has 13 large pens, which open to the outside and have ample exercise room. In addition, there is one very large pen with no cages or pens attached. The 13 pens are mainly used by the newest postoperation dogs or the favorites of the kennel supervisor. After recovery, the dogs are placed in small cages where they generally remain throughout their lives, as long as 7 or 8 years.

The large pen is used only by one doctor's dogs. I believe he has about 15 dogs, which are routinely exercised. On days when visitors are expected, other dogs are taken out and allowed to run in the large pen. Before the arrival of a member of any animal welfare organization, we are all warned and briefed as to what to do and what to hide.

On one occasion I asked my supervisor for permission to kill a dog that couldn't give birth to a batch of pups. Even though the dog was one of several in the experiment, I was not allowed to give it an euthanesic. The dog lived for a matter of hours before it died what seemed to be very painful death. The dog was not treated during the ordeal. The investigator did not even look at the animal.

With the exception of penicillin and streptomycin injections, there is very little postoperative care. No pain relievers have ever been given to my knowledge to any dog, including the major surgery cases, such as gastrectomies, lung transplants, kidney transplants, bowel anastomoses, open-heart surgery, and brain surgery. Infections are very frequent and often fatal. I have on infrequent occasions seen dogs eviscerate. This is nearly always fatal.

I have seen a surgeon, a staff M.D., operate and fill his pipe, turn off radiators, and so forth without changing his gloves. His dogs have a high mortality rate. Peritonitis is very common.

Internal and external parasites are quite common. Even though powders and pills are given at the time of arrival, these are not ef-

fective in all cases. I have actually seen clumps of worms in the stomachs of dogs that have been in the kennel for a period of months. Repeat doses are not given.

The use of wire sutures is not common, but there is one doctor that uses them occasionally. I have seen him use 3 or 4 wire sutures in an area where at least 10 to 20 would be used. His dogs nearly always have some form of infection at the site of the incision. His dogs always have a high mortality rate.

During a recent burn medication experiment—for which I volunteered and was also used—I saw dogs with pus-filled cavities on their abdomens. They had received little or no care after the experiment. Each dog that was used had four serious burns on its abdomen, which were untreated. These dogs were used for another type of experiment at the same time.

Upon arrival at the kennel, all dogs are numbered and their number is attached to them by means of a neck chain. Since dogs are often quite young when they arrive, a small neck chain is placed on them. I know of three occasions that dogs outgrew their chains, and it went unnoticed until the chain was actually embedded over one-fourth of an inch deep into the animal's neck. On one occasion, I could not pull the chain out after cutting it. The dog tore it out.

During the washing of the animals' cages, the dogs may get very wet. High-pressure hoses are used, and the spaces are quite cramped. Some of the older and darker cages make cleaning difficult, since the dogs are even hard to see in them. Consequently, they get sprayed.

At the time when I was working with the dogs as an animal caretaker, I actually got in trouble with my foreman for spending too much time watering them. The custom had been to fill all the pans once per day. Each pan contains about 1 liter, but I have known dogs to drink up to 4 liters per day. I would not leave a room until I was sure every one had as much as it could drink plus a full pan. I am quite sure that the pans were filled only once per day at this time.

The floors of the cages are of wire mesh. The holes in this mesh are quite large. Very frequently dogs have caught their toes in this mesh and suffered considerably before they were noticed. There have been times when it was necessary to anesthetize them to remove the toes from the grid. I have seen a dog with toes on each of three legs caught so that the dog was completely immobilized.

Another sight, which I witnessed recently, was that of two rats which had been sutured together. This was only done once to my knowledge, which made me wonder about the value of the experiment. The rats were not immobilized so that when one moved, the other must also or be dragged along. They frequently twisted around so that one would be facing the wrong way, putting great stress on the sutures.

Distemper vaccine is given to all dogs at the time of arrival unless they are too vicious to handle. This, however, does not seem to eliminate it from the kennel. I recall 26 dogs being sacrificed in 1 day due to distemper, which was diagnosed by the kennel supervisor, not a veterinarian or a doctor.

The condition of some dogs at arrival are truly revolting. I have seen dogs with no teeth, broken and improperly set jaws, mange, fleas, worms, advanced pregnancy, and nearly blind being brought in for

experiments. Many spend most of the time cowering in corners with their tails between their legs. Some never get over the habit.

I would like to say, in conclusion, without criticism of animal laboratories, that the laboratory is the final home of a noble creature; and I would like to see their time spent there in a manner becoming to them and us.

MR. PURCELL. Thank you very much. If there are further demonstrations, we will have those demonstrating put outside—we will hear everyone. We are trying to be objective and those of you in attendance must help us make it so we can be.

All right, the next witness is Dr. John McCoy.

STATEMENT OF DR. JOHN MCCOY, DOCTOR OF VETERINARY MEDICINE AND RESEARCH SPECIALIST IN THE BUREAU OF BIOLOGICAL RESEARCH, COLLEGE OF ARTS AND SCIENCES, RUTGERS, STATE UNIVERSITY OF NEW JERSEY

Dr. McCoy. Mr. Chairman and members of the Committee: I am John R. McCoy, director of veterinary medicine and research specialist in the bureau of biological research of the College of Arts and Sciences, in Rutgers, the State University of New Jersey.

The purpose of my appearance at this hearing is to present the policy of my university in regard to H.R. 9743 and similar bills having, as their respective purposes, the suppression of pet stealing by suppliers of laboratory animals for sale to biomedical facilities through licensure of sellers and buyers. The university condemns the practice of pet stealing without reservation. The act of pet stealing is one of larceny in the legal sense, but beyond this, owing to the privileged position of companion animals in American family life, it is an immoral act, as well. There are laws existing in State and municipal statutes covering acts of larceny at local levels of government far more capable of practical application than statutes such as these. These bills do not serve the purpose of preventing the act of larceny. They will not serve to correct the immorality of pet stealing.

A person who steals a pet for resale elsewhere has demonstrated amply his willful disregard of society's moral standards in the matter. It has been demonstrated historically that the moral state of the human mind cannot be shaped by legislation. Only the penalty that makes such an act unprofitable to such a person will be of influence.

Licensure by a remote Federal agency without the presence of a resident inspector will hardly dissuade such an individual from the pursuit of his activities if he need fear only periodic ceremonies termed "inspections." Regulations now existing for cattle dealers making interstate shipments serve for disease control and for the maintenance of hygienic standards for food animals so transported, mainly. They have not eliminated the modern rustler, but to date no one has suggested holding the meat-processing plants responsible for discouraging him.

H.R. 9743 and its companion bills go beyond this intent of discouraging the theft of companion animals.

In section 3 no qualifying statement is read which limits the Secretary of Agriculture from exercising undue control over the scope of

requirements for licensure. The basic fault lies, again, in the repetitive presumption that the ceremony of licensure will influence the immorality of the purchaser of the stolen pet, if indeed, the practice is, as claimed, of nationwide scope. If it is not nationwide in scope, it is not a Federal matter and the expense of the regulatory ceremony will be exorbitant, for the animals must be identifiable—section 6—and accountable for during their period of “handling”—section 7—not to serve the experimental purpose so much as the regulatory procedure.

If the intent of section 8 is to further the passage of State and municipal laws designed to stop the needless loss of unwanted dogs and cats killed in pounds, it is constructive, for that would remove the need for stolen pets to satisfy the market volume.

In section 10 it would appear that an agency that may specialize in areas of research such as nutrition and may wish to purchase litters of high quality purebred puppies locally for lifespan studies cannot do so legally unless the supplier, who might be the breeder, obtains a license which properly should be limited to matters of interstate commerce.

Section 11 presents the Secretary of Agriculture with carte blanche power of regulation without limitation. While traditionally proffered, in such regulatory legislation, perhaps opponents of biomedical research have shown an amazing persuasiveness and perseverance in utilizing such wordings to their advantage.

Section 12 is punitive to a degree that might well be questioned by a juror levying a fine. Several thousand dollars penalty for purloining a mixed breed pet dog or cat that legally has no value could constitute miscarriage of justice. Moral indignation is expressed in such severe legislation, rather than legal judgment.

In section 13 an institution is automatically in jeopardy if the letter of the act is violated by any of its employees, should they prove of questionable moral character and procure stolen pets for personal profit or for unauthorized use.

Finally, in section 16, the targets of this restrictive legislation are presented with the bill to finance its stigmatizing, repressive, and punitive purposes.

Rutgers, the State University of New Jersey is opposed to this type of legislation. It will not accomplish its stated purpose, does not aid in truly correcting the basic error by helping to procure abandoned dogs and cats destined for senseless slaughter in pounds, and can only serve to restrict scientific research through increasing the cost of its performance.

Mr. PURCELL. Thank you very much, Dr. McCoy.

The next witness is Mr. James Bryan.

I understand that you have a statement which was prepared by Dr. J. Havel, and you are asking permission to present this statement by Dr. Havel, who is not present.

STATEMENT OF JAMES BRYAN, AMERICAN FEDERATION FOR CLINICAL RESEARCH

Mr. BRYAN. Yes, sir; I shall read his statement.
(The statement follows:)

STATEMENT OF RICHARD J. HAVEL, M.D., PRESIDENT, AMERICAN FEDERATION FOR CLINICAL RESEARCH

The American Federation for Clinical Research, which has a membership of more than 5,000 medical scientists engaged in clinical investigation, teaching and patient care, is the largest professional association in its area in the United States. The federation was founded in 1940 "to promote and encourage original research in clinical and laboratory medicine" and "to welcome as members and provide an accessible forum for young persons engaged in such research."

The executive committee, elected by the membership, presently consists of the president, Richard J. Havel, M.D., professor of medicine at the University of California, the president-elect, William E. Huckabee, M.D., professor of medicine at Boston University Medical Center; and the secretary-treasurer Jay P. Sanford, M.D., professor of internal medicine, University of Texas Southwestern Medical School.

The executive committee would endorse any program that would improve the care, comfort, and welfare of laboratory animals, provided that it would not significantly delay or prevent scientific discovery or result in deterioration in medical or biological education.

We have examined the bills now pending which relate to the care and use of animals in biomedical research and teaching. We find that the only bill which we can support in its present form is H.R. 5191 (by Mr. Roybal).

The bill under consideration, H.R. 12488 (by Mr. Poage) has features which have the potential for curtailing the conduct of research and education out of proportion to its potential for improving the care, comfort, and welfare of laboratory animals. Therefore, we should like to speak in opposition to it for the following major reasons:

First, the stated aim of the bill is "to regulate." Regulation without prior or concomitant legislation to improve facilities and techniques for animal care and to train additional personnel in animal care can only impede the orderly advances which are taking place in medical science. We would recommend that, in any legislation in this area, primary consideration be given to providing Federal support for additional research in the care and use of laboratory animals.

Second, we would remind you that biomedical research in the United States has been and is coordinated primarily through the Department of Health, Education, and Welfare. It seems most unwise and undesirable to separate the licensure of animal care facilities from that department in the Government which is responsible for the support of basic biomedical research and the conduct of investigation involving humans. The practical difficulties that might ensue can readily be envisioned from section 12(a): Each such agency so notified shall suspend all such payments, loans, or grants to such research facility, all other laws or parts of law not withstanding." While provision is made for appeal in the event of aggrievement, there is no provision for the interim continuation of financial support to the aggrieved facility. Large areas of biomedical research and medical education might be brought to a standstill if an inspector (whose qualifications are not specified in this bill) felt that some provision of this act had not been complied with.

In summary, we submit that bill H.R. 12488, incorporates provisions which are entirely regulatory and covertly punitive, whereas legislation regarding the use of animals in biomedical research and education must be much broader both in breadth and in depth. Finally, we recognize that improvement in the use and care of laboratory animals is both possible and desirable, and we would actively support such legislation provided that it is framed to permit the continuation of biomedical research, cognizant of the humanitarian goals of medical science.

Mr. POAGE (presiding). Thank you very much, Mr. Bryant. At this time the Chairman will ask permission to insert the statement of Congressman Sweeney into the record.

(The prepared statement of the Honorable Robert Sweeney follows:)

STATEMENT OF HON. ROBERT E. SWEENEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OHIO

I wish to express my appreciation to you and to the members of your subcommittee for your courtesy in having made available to me the opportunity of

testifying in support of H.R. 13287, legislation designed for the protection of animals and to insure their humane treatment in housing and research.

I wish to record with the committee the fact that this legislation has stirred more interest on the part of my constituents than any legislation pending in this session of the 89th Congress. As Congressman at large for the State of Ohio, I have noted the tremendous interest of citizens in my State in support of the bill authorized by our distinguished colleague, the gentleman from New Jersey, Mr. Helstoski.

In recent weeks, I have introduced H.R. 13287 as I feel that the Helstoski approach to this problem is most realistic in that it invokes mandatory provisions rather than making the regulations permissive in tone. I am convinced from all that I have read on the subject and from every inquiry that permissive legislation would not encourage enforcement, would be of little effect in curbing the pattern of inhumanity and cruelty that has been inflicted upon animals used in medical research. I, for one, do not believe that in the name of medical research inhumanity or cruelty should be either excused or condoned, but by the enactment of the Helstoski bill would be effectively regulated.

I believe, Mr. Chairman, that one of the indirect effects of the ever enlarging medical research program being conducted under the auspices of the U.S. Government is to encourage the development of a black-market profiteering in pets, and this practice of stealing pets for profit has aroused people from all areas of the land.

I commit for the record, to be made a part of my statement this morning, a Cleveland Plain Dealer article of Monday, January 31, by the very gifted Howard Preston. Mr. Preston, touching upon the problem of the black market in animals for medical research, very appropriately and effectively said: "My heart belongs in part to all fellow members of the animal kingdom, whether they walk on two legs or four. When a monster steals a child or when he steals a dog or cat, he steals a part of my family. He is without honor, without any moral fiber. He is worse than the money thief."

Mr. Chairman, I recognize, as do all of you here this morning, that not all medical research institutes are careless in the purchase of their animals to be used in medical research, nor are all medical research institutes guilty of the unspeakable cruelty toward animals that have been practiced by some. However, Mr. Chairman, I do believe that it is long overdue that the Congress of the United States act upon this problem.

Mr. Chairman, following me to the microphone this morning is Mr. Hugh McNamee, an outstanding attorney and former judge for the State of Ohio.

Mr. McNamee is not only a gifted member of the bar of my State, but he is also active in interest in the Ohio Humane Federation and is one of our State's strongest advocates in support of Congressman Helstoski's bill. I should like to present him to the committee.

[From the Plain Dealer, Jan. 31, 1966]

STEALING PETS FOR PROFIT

(By Howard Preston)

I can't understand a lot of things. I can't understand the audacity of a man who sticks a gun in the face of a complete stranger and demands his money or his life. I can't understand the mental processes of the rapist. I can't understand the ugly depravity of the kidnaper.

I do not stop at the kidnaper of the human being. I include the unspeakable criminal who steals animal pets and then sells them for a profit to medical research centers.

The use of animals in medical research is a subject full of gray areas. It is too easy, it seems to me, to get approval of any animal-in-research program on the strength of question: "Would you want your son or daughter to die of some disease which could be conquered only if the researchers had been able to experiment on an animal?"

The animal kidnaper enters the scene right here. It is no secret that people steal pets for profit. The shame is compounded by the apparent willingness of some institutions, engaged in medical research, to buy animals with no regard for the reputation of the seller.

Here the mighty U.S. Government occasionally is as guilty as any buyer. Probably you read not long ago of the heart-tugging quest (fortunately successful) of a dog owner in the East who had to go to court before a research institute in the Department of Health, Education, and Welfare finally released the pet which had been stolen.

More recently the Plain Dealer printed the story of a similar expose. A Baltimore criminal stole pets wholesale and mistreated them so that some died even before he had arranged their sale. But obviously some research groups had been willing to buy without knowing, or caring, about the true source of their supply. A black market was patronized by people who pretend to hold great ethical standards.

My heart belongs in part to all fellow members of the animal kingdom, whether they walk on two legs or four. When a monster steals a child, or when he steals a dog or a cat, he steals a part of my family. He is without honor, without any moral fiber. He is worse than the money thief.

Not all institutions which use animals in research are careless in their purchases. Some make claims for the tender loving care which they afford animals they acquire legally for their experiments—although I have my personal reservations on the use here of the word “kindness.” I wonder how the dogs and cats consider the experiments?

But it seems to me that any institution which buys obvious house pets is as amoral as the dognaper and should be hauled into court and made to suffer the same humiliating public disclosure.

[From the Plain Dealer, Feb. 10, 1966]

READERS SAY: NO ONE CONDONES PET STEALING

No one who possesses an ounce of decency condones dog stealing—for any purpose. The recent national publicity describing the use of stolen dogs in laboratories and the inhumane conditions under which they may be held by unscrupulous dealers has focused attention on a situation which must be corrected. Attempts at solution must, however, be governed by reason, not emotion.

The vast majority of laboratory dogs is obtained legally from pounds. These are animals that would otherwise be destroyed. In certain communities, where local politicians have succumbed to the vocalizations of a minority of citizens, dogs are destroyed, rather than yielded to medical research institutions. Cleveland is such a city. As a consequence, institutions, deprived of this local dog supply, are frequently forced to patronize dealers, oftentimes failing to inspect their premises or investigate the sources of the animals.

Plain Dealer columnist Howard Preston has succeeded in further muddying this issue. He decries dog stealing, as do all decent people; but he seems to be uncertain whether animals should be experimental subjects at all. He has benefited, though he may not realize it, from the use of animals in medical research and training programs.

Mr. Preston further condemns those who use obvious house pets for research purposes. I am not certain how he would recognize them. My records of several thousand house pets, obtained from pounds, disclose that they include many breeds and crosses, 85 percent are infected by worms, almost 100 percent are infected by fleas, lice, or ticks, and most are malnourished. What criteria shall we use to discover the wanted pet?

None of the above is intended to excuse those who steal or misuse pets. My plea is that we rid ourselves of this dishonest fringe without retarding our lifesaving animal research and training programs.

DR. AARON M. LEASH,
Cleveland.

[The moral question of use of animals in medical research is one which remains controversial. The Cleveland dog pound does not turn animals over to medical research agencies; the Cleveland Animal Protective League, under contract with the county and under State regulations, does supply animals, many to Cleveland hospitals for research. But an alleged shortage of animals

for experimentation does not condone the practice of patronizing dealers without full investigation, as Dr. Leash claims is being done by Cleveland institutions.—Ed.]

Talk about dognapers, dog and cat wholesale warehouses; what has happened to our Ohio humane societies? Many of our Ohio humane societies and protective leagues are in just about the same business. Thousands of homeless, lost, and even beloved pets are sold out the back door each day to hospital laboratories and research institutions by our so-called humane agencies. It is time we pet owners, breed clubs, and dog show people make a trip down to the animal shelter, and do some inquiring, checking, and get proof as to what is happening to the animals taken into these shelters. Most are sold out the back door for blood money, and we as citizens and taxpayers have a right to know. A good housecleaning by the general public is long overdue.

If you cannot keep your pet any longer, take your animal to an honest veterinarian and have it put to sleep. This could well apply to strays or lost animals for which we cannot find the true owner. You cannot be certain they won't end up in a laboratory or be otherwise subjected to cruelty if you sell them or give them to a stranger. If you love pets so much, then you owe them this action. Pet owners, beware.

MISS GENEVIEVE TISCH,
Canton.

Mr. POAGE. The next witness will be Mr. McNamee, to be followed by Mrs. Dunn.

I know that you have been making good progress, Mr. Purcell and I do not want to break it up in any way. We are going to have to limit all of the witnesses to 5 minutes.

We will be glad to hear from you now, Mr. McNamee.

STATEMENT OF HUGH A. McNAMEE, LAWYER, CLEVELAND, OHIO

Mr. McNAMEE. Mr. Chairman and members of the committee: I am Hugh McNamee of Cleveland, Ohio. I appreciate the privilege of speaking as a witness in support of H.R. 13287 by my friend Representative Robert E. Sweeney, whose judgment and ability I admire and respect and for H.R. 10743 by Representative Henry Helstoski. I am a practicing lawyer and have legal office experience including that as a State legislator, assistant U.S. attorney and special counsel for the Attorney General of Ohio. Though I am a member of the National Catholic Society for Animal Welfare, the Humane Society of the United States and others, I appear in the capacity of a citizen and lawyer to plead for legal protection for our quadruped fellow creatures who so desperately need it.

By irrefutable and credible evidence overwhelming in quality and quantity it has been proven here beyond a reasonable doubt that Federal legislation is absolutely essential to eliminate a nationwide evil. The rarely disturbed existence and the magnitude of that evil demonstrate the inherent inadequacy of State cruelty laws and State jurisdiction to serve as anything except a minimal impediment or inconvenience. To relegate remedy of the problem to State jurisdiction would avoid responsibility and provide a Federal shield for putrid conduct which flourishes because of impotency of State jurisdiction.

The Sweeney-Helstoski bills fill the vacuum and meet the requirements necessary for a sound, strong statute to solve the problem. They are mandatory; protect through prevention; define and specify objective humane standards; require identification, limiting it to dogs and cats because such are the animal stolen, and authentic rec-

ords specific in character; the safeguard of inspection; and substantial selfish motivation for a dealer to comply in order to avoid expulsion from business. Their jurisdiction ends at the laboratory door, as it should. Laboratory malpractices there are in multitude. All is not holy in the house of science, but cleansing that Augean stable requires separate consideration in a separate bill.

Grants of mere permissive authority to a Secretary of Agriculture warrants no assumption that exercise of it, if any, will establish standards of any substance. In any event, they would be subjective. Avoidance of challenge of constitutionality on the ground of delegation of legislative power requires objective standards to be incorporated in a statute. The U.S. Supreme Court has condemned, as unconstitutional, legislation in which no standard for administrative action in carrying out the legislative policy has been fixed. A nominal penalty, civil in character will have minimal effect as a deterrent upon those in a business so replete with nauseating malpractices that it is a national disgrace.

Only one of thousands of dog and cat dealers is scheduled to appear before this committee to oppose the theft bills before it, but the record shows that an array of doctors of science in the guise of doctors of jurisprudence plead for sanction of theft because its cessation would decrease their source of supply.

To them who write in Latin, I say, *noscitur a sociis*.

Mr. POAGE. Thank you very much, Mr. McNamee. Our next witness is Mrs. Dunn, who will be followed by Dr. Burrows. We will be glad to hear from you now, Mrs. Dunn.

STATEMENT OF MRS. PEYTON HAWES DUNN, WARDS, WASHINGTON, D.C.

Mrs. DUNN. Mr. Chairman and members of the committee: My name is Peyton Hawes Dunn and I am secretary of WARDS. We are very grateful for the interest of this committee where the practical, professional care of animals is understood and appreciated.

The purpose of WARDS is to obtain a high standard of research animal care in a clearly defined department. We know this is an essential for research as an excellent nursing department in human medicine. It will interfere with research no more than a nurse does with a doctor's orders. The Poage bill, H.R. 12488, separates care from the use of these animals which is what WARDS has done since 1953.

What happens now to the federally neglected research animal has been accurately described by humane witnesses. To stop this abuse the Poage bill is the most realistic because it does not stop at the door of the medical center in its pursuit of a stolen pet. Wisely it sees this as one operation from the time the animal is picked up in one State to the time it dies without veterinary observation in a laboratory in another State.

I have a personal experience that may demonstrate this. I was riding up a street in Bethesda when suddenly a small pickup truck cut in front of me and dashed in the drive beside a building just ahead. In the back was a cage made of chicken wire. In it was a large boxer

that was barking loudly. I proceeded 2 blocks to a light on Wisconsin Avenue where I had to stop. I looked back and the same truck was behind me but the dog had been disposed of in less than 2 minutes. I learned later that the building was a federally supported research establishment. The man in the research center is the real key to the situation. He must be helped so he will not have to take diseased and stolen animals.

The greatest defect in the present handling of research animals is that those who control the funds and have the authority have no professional veterinary training. These medical authorities will tell you that reports of disorder are isolated incidents caused by human error possible in the most perfect system. These exponents of the status quo must not be confused with the many dedicated men and women in immediate charge of the animals who must, on occasion, defend the local and national disorder. Everyone knows that loyalty to the medical establishment is traditional and absolute.

The introduction of professionals from the Department of Agriculture as inspectors should bring much-needed fresh light to the subject of research animal care. The job of these inspectors will be overwhelming, however, unless they are dealing on the inside with a clearly defined and supported department. They must work with someone who knows the subject and is just as anxious as the inspector to have their animals in a professional, humane system.

We are told that the inspectors from the Department of Agriculture are the best in the country. This is what we must have but the problem is much larger and more fundamental. We are dealing with a fragmented condition that makes intelligent planning impossible. A brief study of the present national setup makes this abundantly clear.

To thwart the Poage bill, the accreditation bill asks the public to continue to have faith in the present management. Time should have run out for this idea since it is their years of neglect that brings us to this hearing. We must have a clear way to demonstrate the value of good care. WARDS has begged, without success, for this since 1953.

Citizens are beginning to learn about conditions and want professional care for research animals. They know that excellence of care is necessary for accurate research findings quite apart from the moral issue and the unbelievable waste. For the inspection phase of this job we hope the Poage bill, H.R. 12488, will find united support.

(The pamphlet entitled "About WARDS" referred to is as follows:)

ABOUT WARDS

The purpose of WARDS is to obtain professional care and observation of animals used for research. It was incorporated in 1953.

WARDS is the first organization to separate the use from the care of research animals. It wants something similar to a nursing department, bringing to the sick research animal the same attention he would have at a high-standard veterinary hospital and boarding kennel.

We believe, if vast funds are granted to use these animals, a means to plan and provide for care must be clearly and legally defined where these funds originate. We know that a handful of inspectors cannot bring about the necessary changes.

WARDS has contributed to the construction of kennel quarters for dogs at Georgetown and George Washington University Medical Schools and the Washington Hospital Center. WARDS worked with other humane organizations to ob-

tain similar quarters for the dogs at the Food and Drug Administration. These dogs, like most of them across the country, were stored in the subbasement of an Agriculture Department building in small cages for as long as 6 or 7 years.

At present WARDS is supporting research at Howard University Medical School to establish humane standards and methods of institutional housing and handling. Their findings can be of practical value when national legal status is established for research animal care.

Our national program is to plan and provide for care through Federal legislation similar to that in operation to use these animals. We want a national Citizen-Professional Board to work with a Coordinator of Research Animal Care. The Coordinator should be a veterinarian. We want similar local boards to co-operate in a WARDS program. These would change conditions by establishing high-quality and well-defined local departments for animal care and observation. We want these departments under men and women who have graduated in veterinary medicine. They must know that animals suffer, and have the manpower and equipment to prevent suffering wherever possible.

WARDS believes there must be enforcement of standards through local and national inspection. We place the largest emphasis, however, on the need for a program under citizen and scientific direction to obtain the professional supervision, trained manpower and modern housing necessary to stop the present rough handling and unscientific neglect.

Mr. POAGE. Our next witness is Dr. Burrows, who will be followed by Dr. Trum. You may proceed, Dr. Burrows.

**STATEMENT OF DR. LESLIE R. BURROWS, ASSISTANT SECRETARY,
COUNCIL ON DENTAL RESEARCH, AMERICAN DENTAL ASSOCIATION**

Dr. BURROWS. Mr. Chairman and members of the committee, my name is Dr. Leslie R. Burrows. I am assistant secretary of the Council on Dental Research of the American Dental Association. I am here today representing both that group and the American Association of Dental Schools.

Our organizations are in full sympathy with the intent of those who are sponsoring H.R. 12488 and similar measures to the degree that they wish to prevent the theft of household pets and to provide for adequate care for animals of this type while being handled by dealers. Some provisions of these measures, however, are not appropriate to this purpose and should, in our view, be modified or eliminated.

First, we believe that the distinction being drawn between the procurement and care of animals in general and animals destined for research is purposeless and impairs the efficiency of the bill. We would urge elimination of this distinction if Congress deems it prudent to make the theft of animals a Federal offense, it should do so straightforwardly without unnecessary complications.

Second, we would urge the elimination from H.R. 12488 and similar bills of those sections dealing with the care of animals under the jurisdiction of a research facility. Clearly, it is not germane to the question of theft and, in addition, the subject of laboratory animal care is much more complex than these bills would seem to indicate and needs to be dealt with separately. In this, we agree with the Honorable Joseph Y. Resnick who, in hearings before you last year, said that he did not believe it necessary to license research facilities and that the regulations for the handling and transportation of dogs and cats should be set only for dealers. As you know, there are currently several proposals before another committee of the House that do take up this subject in considerable detail.

Third and finally, we would urge that the provisions of the bill be restricted to dogs and cats. Only these household pets are really susceptible to theft. Further, detailed recordkeeping of the millions of other animals, from sharks to elephants—both of which by the way have some importance to the dental research community—would be virtually impossible.

Our opposition to those aspects of H.R. 12488 that deal with control of laboratories does not, Mr. Chairman, stem from indifference. Both organizations are vitally interested in this topic and have been for some years. Both groups are members of the Animal Care Panel and assisted in the development and testing of a program for the accreditation of laboratory animal care.

This work resulted, last year, in the founding of the American Association for the Accreditation of Laboratory Animal Care, and both the organizations that I represent are founding members of that group. We believe that this new organization, developing swiftly, holds high promise for accomplishing whatever needs to be done in the field of laboratory animal care and, further, believe it to be the best possible mechanism for accomplishing this purpose. H.R. 12488, if modified as we have suggested, would complement this effort excellently and we urge your acceptance of these modifications.

(The complete statement of Dr. Burrows follows:)

STATEMENT OF DR. LESLIE R. BURROWS, AMERICAN DENTAL ASSOCIATION AND THE AMERICAN ASSOCIATION OF DENTAL SCHOOLS

Mr. Chairman and members of the committee, my name is Dr. Leslie R. Burrows. I am the assistant secretary of the Council on Dental Research of the American Dental Association. I am here today representing both that organization and the American Association of Dental Schools. Accompanying me is Mr. Hal M. Christensen, director of the Washington office of the American Dental Association. Both organizations appreciate this opportunity to give you our views on H.R. 12488 and the similar bills that are being considered here today.

The American Dental Association and the American Association of Dental Schools are in full sympathy with the intent of those who are sponsoring these measures to the degree that they wish to prevent the theft of household pets and to provide for adequate standards of care for such animals while being handled by dealers. Some provisions of these measures, however, are not appropriate to this excellent purpose and must, in our opinion, be substantially modified or eliminated before the legislation can be viewed favorably.

The bills touch on three distinct areas of activity; procurement of animals, care of animals in general, and care of laboratory animals.

The bills before you quite clearly draw a distinction between animals in general and animals destined to be housed in a research or education facility and used in that facility's research efforts. Such a distinction seems to us to be purposeless. It also, though unintentionally, places an unwarranted stigma on the scientific community.

If Congress deems it prudent to make the theft of animals a Federal offense, then it is our belief that it should do so straightforwardly without impairing and complicating the law by such unnecessary classifications. Consequently, we believe the committee should eliminate from any bill given serious consideration all specific references to the intended disposition of the stolen animal. We would urge further, that the provisions of any bill be limited to dogs and cats since these are the only animals really involved and also because recordkeeping on the hundreds of thousands, even millions, of other animals, mice for example, would be impossible.

In the same vein, we believe the committee should eliminate those parts of H.R. 12488 and similar bills that deal with laboratory animal care. The care of animals in the laboratory is not germane to cat and dog stealing or to the care of these animals in the hands of a dealer or some other member of the public.

In addition to being extraneous, the subject of laboratory care of animals is a much more complex issue than these bills would seem to indicate and needs to be dealt with separately. There is a measure presently before another committee of the House which does take it up in considerable detail.

Our conviction on this matter is parallel to a judgment made publicly by a most distinguished member of the Committee on Agriculture, the Honorable Joseph Y. Resnick, of New York. In testimony before this subcommittee on September 2, 1965, Mr. Resnick said: "Let me stress at this time that I fully support the valuable research work being done by these hospitals and laboratories. Their needs for animals is a legitimate need. There is not a man, woman, or child anywhere in this country who does not enjoy the benefits of this research—research which develops new drugs and operating techniques, which bestows better health and longer life on all of us. I am not an antivivisectionist and the issue of vivisection is nowhere involved in this legislation. Neither is the issue of animal care in the laboratory. This bill is concerned entirely with the theft of dogs and cats, and to a somewhat lesser degree, the indescribably filthy conditions in which they are kept by the dealer."¹

Mr. Resnick then went on to say he did not believe it necessary to license research facilities and that the regulations for "the handling and transportation of dogs and cats should be set only for dealers."²

At the same hearings, another distinguished Member of the House of Representatives, the Honorable Claude Pepper, noted that: "The sale and the use of animals for experimental purposes are two distinctly different fields which in my opinion cannot be legislated in the same bill."³

The American Dental Association and the American Association of Dental Schools subscribe to these remarks and believe that this committee should take action in consonance with their import. This could be done by eliminating section 3 of H.R. 12488 and language in any subsequent sections that place restrictions or control on research facilities. This would meet our objections with respect to the requirement of licensure of the research facilities and the regulation of laboratory animal care in such facilities as a prerequisite for obtaining such a license.

A requirement for the licensing of animal dealers would provide sufficient authority for the prevention of, and punishment for, animal theft without introducing extraneous matters that have no pertinence to the intent of the bills in question.

The licensing of research facilities could well become a mechanism for the control of laboratory animal care rather than a mechanism for the prevention of animal theft. Such control would impede unnecessarily the research going on in laboratories across the country leading toward control or elimination of human disease and suffering.

Our opposition to these aspects of H.R. 12488 should not be construed as a lack of interest in laboratory animal care. On the contrary, we have a long-standing and vital commitment in this area.

Some years ago, the American Dental Association was pleased to cooperate with the Institute of Laboratory Animal Resources of the National Academy of Sciences-National Research Council and assisted that agency in surveying facilities at dental schools and research institutions in this country.

In 1964, the House of Delegates of the American Dental Association adopted the following resolution:

"Resolved, That the following statement regarding the use of laboratory animals in research be adopted as an affirmation of policy:

"The American Dental Association favors all reasonable efforts that would insure the humane treatment of laboratory animals but opposes the enactment of restrictive legislation that would hamper investigation or impede the progress of research."

Similarly, the American Association of Dental Schools supports voluntary efforts to insure humane care for laboratory animals used in research and education. In November 1965, the Executive Council of the American Association of Dental Schools approved the following resolutions:

¹ Hearings before the Subcommittee on Livestock and Feed Grains of the Committee on Agriculture of the House of Representatives of the 89th Cong., 1st sess., on H.R. 9743 et seq., Sept. 2, 1965, p. 4.

² Ibid.

³ Ibid., p. 9.

"Resolved, That the American Association of Dental Schools continue its support of voluntary efforts to insure the humane treatment of laboratory animals, through programs such as that of the American Association for the Accreditation of Laboratory Animal Care, and, be it further

"Resolved, That the American Association of Dental Schools express its opposition to restrictive legislation which would impede investigative efforts in research."

For a number of years, the American Dental Association and the American Association of Dental Schools have been members of the Animal Care Panel. In addition, we have cooperated with other national scientific and professional organizations by assisting the Animal Facilities Accreditation Board of the Animal Care Panel in the development and testing of a program for the accreditation of laboratory animal care. It was a result of this study that the American Association for the Accreditation of Laboratory Animal Care was formed in April 1965. The American Dental Association and the American Association of Dental Schools are among the founding members of this association and continue to support the organization and its program. Within the last few months, this program has become operational.

Our interest is further manifested by the time which both staff and members of our organizations devote to various programs pertaining to laboratory animal care. As part of my work for the American Dental Association, I was honored to be one of the original consultants to the Animal Care Panel when the program for accreditation of laboratory animal care was being considered, was a founding member of the board of the American Association for Accreditation of Laboratory Animal Care and serve today as secretary-treasurer of the organization.

We have a sincere interest in the care of laboratory animals. It is our position that the problems related to laboratory animal care are intertwined with programs of research and education and that they should accordingly be considered separately from the problems of cat or dog theft and the care of animals prior to their arrival at a research facility.

Mr. Chairman, I would like to thank you and the members of this distinguished committee for the opportunity of presenting our views on this important issue.

Mr. POAGE. Thank you very much, Dr. Burrows.

The next witness will be Dr. Trum, who will be followed by Miss Jones. We will be glad to hear from you now.

STATEMENT OF DR. BERNARD TRUM, DIRECTOR, ANIMAL RESEARCH CENTER, HARVARD MEDICAL SCHOOL

Dr. TRUM. I am Dr. Bernard Trum, from the Harvard Medical School. Although it does not buy dogs from dealers, some of the faculty members of the Harvard Medical School, working in research and affiliated hospitals, do. It is hoped that the assurance of this group can be given that the dogs that they buy in good faith have been legally acquired. I should like to call your attention to the nature of a great deal of the testimony given at this hearing and at the previous hearings in September. It reads, "A dog is missing," therefore, he has been stolen. Specifically I would like to call your attention to a dog mentioned at this hearing whose picture appeared in Life magazine. This dog wore a tag bearing "HMS," meaning "Harvard Medical School." It signified that this dog was legally acquired and the registered property of the Harvard Medical School. He was not a stolen dog. If he had been, for example, not claimed from the pound by the Harvard Medical School, he would have been destroyed as were more than 50,000 other dogs in Greater Boston destroyed last year in the pounds and the humane societies in defiance of the Massachusetts law.

We are happy that this dog returned to a home that wanted him although they had not as many others in the area reported to us that

they were looking for this animal. We searched our colonies for pound dogs or strays and do this continually, and often have the pleasure of returning some to their owners.

Thank you very much.

I would like to submit a statement for the record.

Mr. POAGE. Without objection, you may do so, and let me say that any of the witnesses will be privileged to extend their remarks in the record.

(The prepared statement of Dr. Bernard Trum follows:)

STATEMENT OF DR. BERNARD TRUM, ON BEHALF OF HARVARD MEDICAL SCHOOL

I am pleased to have the opportunity to appear before this committee to express the views of the Harvard Medical School on House bill No. 12488.

If any single fact was clearly established by the previous hearings, it is that there is no direct traffic in stolen animals by research institutions. On the other hand, there is little doubt that unscrupulous individuals are acquiring and selling dogs and cats by methods and under conditions which cannot be condoned.

Harvard Medical School is thus in full accord with the stated purpose of House bill No. 12488. The medical school believes that illegal trafficking in dogs and cats must be curtailed, and it is not unwilling to be subjected to reasonable regulations if they will serve to halt the transportation in interstate commerce of stolen pets. Moreover, in the medical school's opinion, House bill No. 12488 does represent a more useful and constructive approach to the problem than does other pending legislation.

The medical school is nonetheless unable to endorse the bill in every detail. For instance, the bill's coverage would seem somewhat broader than is necessary. The evidence presented to this committee thus far has established that questionable traffic in dogs and cats has become a serious national problem. However, there is no evidence that the theft of other animals is occurring on a serious scale. Traffic in stolen white rats, guinea pigs, and other laboratory animals would seem to be miniscule, if indeed such traffic exists at all. For this reason the medical school respectfully suggests that the coverage of the bill, which presently includes all vertebrae, be limited to dogs and cats.

It is also suggested that the enforcement provisions of the bill should be modified. It would seem desirable for instance to impose a fine or imprisonment upon persons who steal household pets and transport them in interstate commerce. Legislation now pending in several State legislatures would impose such penalties upon persons engaged in illegal traffic in pets on an intrastate basis. While such a direct approach to the problem may not be sufficient, it does seem anomalous to impose restrictions upon animal dealers and research facilities and not to have sanctions directed at the real culprits. Such sanctions would strengthen the bill as presently worded.

Again, as presently drafted, the bill requires the Federal agency authorizing or supervising the financing of animal research to suspend completely all payments, loans or grants financing such research whenever the Secretary of Agriculture recommends. In certain instances partial withdrawal of financial support, or other sanctions might seem more appropriate to the Federal agency involved.

It would, therefore, seem desirable to give the Federal agency authorizing or supervising the financing of animal research some discretion in determining whether the suspension of Federal grants to a research facility which is found knowingly to have violated the provisions of the bill is necessary, or whether some other sanction would be more appropriate.

The medical school also feels that the wording of the bill could be clarified in several minor respects. It would be happy to work with the committee in developing language to alter the bill to meet these points. But while the bill is not perfect in every detail, it is a realistic attempt to deal with a problem which Harvard Medical School realizes is a substantial one. The bill is preferable to a number of other bills now pending before the Congress, in that it is likely to curtail considerably illegal traffic in stolen household pets without imposing unwarranted and crippling restrictions on the legitimate use of animals for medical research. The medical school would therefore like to record its endorsement of the bill in

principle, and to state that with a relatively few minor amendments the bill would be completely acceptable to it and would not impede the vital medical research in which it is presently engaged.

Mr. POAGE. The next witness will be Miss Helen E. Jones, to be followed by Dr. Pearce. We will be glad to hear from you now, Miss Jones.

STATEMENT OF HELEN JONES, PRESIDENT, THE NATIONAL CATHOLIC SOCIETY FOR ANIMAL WELFARE

Miss JONES. Mr. Chairman, my name is Helen Jones. I am president of the National Catholic Society for Animal Welfare, Washington, D.C. My statement is in support of H.R. 10743.

Since the hearing held by this committee last September, additional nationwide attention has been drawn to dealer traffic in animals as a result of more arrests of dealers for cruelty and the increased coverage by the press of both the dealers' cruelty and the effort for legislation to reduce the theft and mistreatment of animals by dealers.

Public opinion for remedial legislation was strong last year. It is stronger now. Public opinion last year was informed of both the dealers' wholesale cruelty and of the legislative needs. It is even more informed now.

Following are some of the points which we believe make H.R. 10743 the most workable and effective form of dealer legislation:

1. It requires laboratories which buy animals in commerce or which are federally supported to buy animals only from licensed dealers and thus adequately binds the buyer-seller relationship. By calling for the licensing of dealers only, it avoids the confusion that would result from licensing both dealers and laboratories in legislation which is intended to reform the dealer trade, not laboratories.

2. It calls for the humane care of animals by dealers in their facilities and in transport and gives guidance to the Secretary on the meaning of the term "humane care" in the standards which he would be required to promulgate. This guidance on the meaning of humane is in line with that which was also given to the Secretary in Public Law 85-765.

3. The bill prohibits the sale of animals at auction or by weight. Some of the most glaring abuses of animals occur when animals are sold at auction to dealers who in turn sell them to laboratories. Auctions are also the main market in which animals change hands without legitimate bills of sale. The idea of weak and helpless puppies and kittens being auctioned off at 10 cents apiece or of dogs, cats, rabbits, guinea pigs, and other small creatures being sold by weight, as though they were inanimate things, is extremely repugnant to the American public which is even more outraged by the treatment the animals receive at the auctions.

4. H.R. 10743 requires Federal inspection of the dealers' facilities and transportation. Without inspection, there can be no meaningful enforcement.

5. The measure calls for appropriate penalties and requires the revocation of licenses for violations. This need is clearly apparent from the cases of dealers repeatedly arrested for cruelty and still abusing animals.

6. It applies not only to dogs and cats but also to other animals sold by dealers to laboratories and equally in need of protection.

The vast numbers of people who are asking for enactment of H.R. 10743 have studied the bill and in most cases have compared it with other pending measures. In their considered judgment and ours H.R. 10743 is the best form of legislation to begin reform of the dealer trade.

This Nation is humanely and compassionately disposed toward animals and all weak and defenseless living things. But our legislative record for the protection of animals has not kept pace with our basic attitude of humaneness. The primary reason for our lack of sufficient anticruelty laws is that the public often is not sufficiently informed of the abuses that require remedial legislative action.

In the history of the Congress, only three major Federal laws for the protection of animals from cruelty have been enacted. In each case, the public had become aware of suffering inflicted on animals on a vast and terrible scale. And in each case the laws of the States were inadequate to achieve reform.

In the case of dealers who inflict suffering on animals through callous cruelty and neglect and who cause animal owners mental anguish, the public once more is fully aware of an evil and wishes effective remedial action on the Federal level. The public wants a law that will bring to animals relief and protection from the extremes of suffering they now undergo at the hands of dealers and will offer a safeguard against the wholesale stealing and fraudulent acquisition of animals by dealers.

We believe that enactment of H.R. 10743 would best fulfill the public will and wish in this matter.

Mr. POAGE. Thank you very much, Miss Jones.

The next witness is Dr. Pearce, who will be followed by Mr. Phillips. We will be glad to hear from you now, Dr. Pearce.

STATEMENT OF DR. RICHARD G. PEARCE, SOUTHFIELD, MICH.

Dr. PEARCE. Mr. Chairman and members of the committee, I am a veterinarian engaged in small animal practice in the Metropolitan Detroit area. It is with a firm conviction that I am appearing before this subcommittee for a second time in support of legislation designed to protect experimental animals from unnecessary cruelty. Last September I testified in support of H.R. 9743, which I believed was a fine bill. Now I believe H.R. 12488 to be an even finer piece of legislation. The need for passage of this type of legislation has become even more apparent to one and all since the last hearings, as you are all aware, having read the many articles that have recently appeared in the national news media relating to the abominable and inhumane conditions that exist in many of this Nation's dog dealers' establishments. The problem of mistreatment of dogs and other animals continues after they have been sold to the laboratories which are their final destination.

I bring this problem to the attention of the Congress for solution only after much thought and deliberation. For I happen to believe firmly in solving our country's problems when possible by using measures short of national legislation. However, it has been amply demonstrated that the institutions using experimental animals have in no

way made any concerted effort to clean up the deplorable conditions that exist in dog dealers' establishments who in turn supply these institutions with animals. Therefore, I believe that if the atrocious conditions presently existing in many of these wholesale animal centers are to be rectified that federal legislation is the only possible way of accomplishment.

It grieves me that the main body of opposition to this type of legislation comes from my veterinary and medical colleagues. However, even though by profession I am a member of their team, I feel that justice will be best served if it is brought to the public's attention that all veterinarians and medical men are not in opposition to this legislation. Far from it, many of us believe that there is a great need for passage of this bill. Since the appearance of my testimony at the previous hearings was published in a national veterinary journal I have received much support by many of my colleagues who believe, as I do, that legislation must be passed to eliminate the cruelty that presently exists in animal dealers' establishments and laboratories.

H.R. 12488 deserves our heartiest support in that it embodies all of the points necessary to make legislation in this area meaningful and equitable.

I would also like to submit at this time, Mr. Chairman, a complete letter which I would like at this time to read only two paragraphs from. It is from Dr. Heustis, of the Michigan Public Health Service, and he says, and I quote:

We in Michigan wish to strongly recommend the merits of licensing laboratories for the humane use of animals and to assure the laboratories that no particular hardships are involved.

Michigan Act 241 of 1947, with the rules and regulations promulgated thereunder, and the simple application form for registration to keep or use animals for the diagnosis and treatment of human and animal diseases has been operating in an efficient fashion for almost 20 years. It would certainly appear to us that such a law would be desirable and would function on a nationwide basis as effectively as it has in Michigan.

And I have another letter from the Elko Veterinary Hospital which I should like to have made a part of the record.

MR. POAGE. Without objection, they may be included in the record at this point.

(The letter dated March 7, 1966, and the letter dated March 1, 1966, together with attachment, follows:)

ELKO VETERINARY HOSPITAL,
Detroit, Mich., March 7, 1966.

Hon. Mr. POAGE,
U.S. House of Representatives,
Washington, D.C.

DEAR SIR: I am a veterinarian engaged in the practice of small animal medicine in Highland Park, Mich. It is my desire that the following comments on H.R. 12488 be included in the Congressional Record.

The need for legislation of this sort has been far too long unheeded. The authorization for the expenditure of almost unlimited Federal moneys for the purpose of various types of research involving live animals other than man has created a market of such magnitude and purchasing power that illegal and inhumane tactics by certain despicable individuals engaged in supplying this market have become commonplace. This statement is now so well documented that it requires no elucidation at this time.

While it is not presently widely known, preliminary evidence would indicate that many institutions, some with national reputations, are, to put it charitably, very careless in their methods of obtaining subjects for research.

It is the feeling here that H.R. 12488 would be of great assistance in correcting these evils, and investing the entire live animal research operation with at least a portion of the aura of respectability which it so badly needs.

It is the contention here, however, that the suggested penalty of \$500 for each offense is not nearly adequate. As has been previously suggested, such large sums of Federal money are available for purchase of research animals that a penalty of this magnitude will not deter a large unscrupulous operator from defying the law. Many such operations could in a very short period earn far more than this sum by simply disregarding the regulations. Since incurring the financial penalty inherent in H.R. 12488 would involve blatant disregard of a Federal statute, it is suggested that the penalty assessed should be a hundredfold that demanded in the bill. I believe this step to be necessary to the effectiveness of the legislation.

Most earnestly,

WILLIAM J. FULLER, DVM.

NOTES

Section (c) seems to exclude intrastate commerce by the clause “* * * but through any place outside thereof;”.

Section (f) should read: “* * * means any live vertebrate animal * * *.”

MICHIGAN DEPARTMENT OF HEALTH,
Lansing, Mich., March 1, 1966.

HON. W. R. POAGE,
Committee on Agriculture,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE POAGE: This is in reference to H.R. 12488, the bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and other animals intended to be used for purposes of research or experimentation and directing the Secretary to issue licenses to research facilities and to dealers.

We understand that a hearing will be held next Monday and Tuesday, March 7 and 8, and that undoubtedly there will be much opposition from laboratories as to difficulties encountered in the licensing and procedures involved.

We in Michigan wish to strongly recommend the merits of licensing laboratories for the humane use of animals and to assure the laboratories that no particular hardships are involved.

Michigan Act 241 of 1947, with the rules and regulations promulgated thereunder, and the simple application form for registration to keep or use animals for the diagnosis and treatment of human and animal diseases (copies attached) has been operating in an efficient fashion for almost 20 years. It would certainly appear to us that such a law would be desirable and would function on a nationwide basis as effectively as it has in Michigan.

Sincerely,

ALBERT E. HEUSTIS, M.D., *Director.*

ACT No. 241, P.A. 1947

AN ACT To protect the public health and welfare; and to regulate the humane use of animals for the diagnosis and treatment of human and animal diseases, the advancement of veterinary, dental, medical and biological sciences, and the testing and diagnosis, improvement and standardization of laboratory specimens, biologic products, pharmaceuticals and drugs

The people of the State of Michigan enact:

SEC. 1. The public health and welfare depend on the humane use of animals for the diagnosis and treatment of human and animal diseases, the advancement of veterinary, dental, medical, and biological sciences, and the testing and diagnosis, improvement and standardization of laboratory specimens, biologic products, pharmaceuticals, and drugs.

SEC. 2. The State Commissioner of Health, with the approval of an advisory committee appointed by the Governor consisting of the dean of the medical school of the University of Michigan, the dean of the veterinary department of the Michigan State College of Agriculture and Applied Sciences, the dean of the medical school of Wayne University, the dean of the dental school of the University

of Detroit, the secretary of the Michigan Board of Registration of Osteopathy, a representative from a research laboratory within the State of Michigan and subject to the control of the Federal Security Agency, and two member representatives of the State Federated Humane Society, is hereby authorized to regulate and to promulgate rules and regulations controlling the humane use of animals for the diagnosis and treatment of human and animal diseases, the advancement of veterinary, dental, medical, and biological sciences, and the testing and diagnosis, improvement and standardization of laboratory specimens, biologic products, pharmaceuticals, and drugs. Such rules and regulations shall be adopted in conformity with the laws of this State.

SEC. 3. The State Commissioner of Health is hereby vested with the administration of the provisions of this Act and is authorized to incur such expenses as shall be authorized by the legislature. The members of the advisory committee shall serve without compensation, but shall be entitled to actual and necessary expenses incurred in performance of official duties.

SEC. 4. The State Commissioner of Health, or his duly authorized representative, or any member of the advisory committee, is hereby authorized to inspect any premises or property on or in which animals are kept for experimental purposes, for the purpose of investigation of compliance with the rules and regulations adopted hereunder. Such regulations shall provide for such humane treatment of animals as is reasonably necessary for the purposes of this Act.

SEC. 5. No person, firm, copartnership, association, or corporation shall keep or use animals for experimental purposes unless registered to do so by the State Commissioner of Health. The State Commissioner of Health is hereby required to grant registration for the humane use of animals for experimental purposes subject to compliance with the rules and regulations promulgated under the provisions of this Act. The State Commissioner of Health is authorized to suspend or revoke any registration under the provisions of this Act for failure to comply with the rules and regulations promulgated hereunder. The findings of fact made by the State Commissioner of Health acting within his powers shall, in the absence of fraud or arbitrariness, be conclusive, but the Circuit Court of the County of Ingham shall have power to review questions of law involved in any final decision or determination of said Commissioner: *Provided*. That application is made by the aggrieved party within 30 days after such determination, and the said court shall have jurisdiction to make such orders in respect thereto as justice may require.

SEC. 6. There is hereby appropriated from the general fund of the State the sum of \$1,000 to the State Commissioner of Health to carry out the provisions of this Act.

APPLICATION FOR REGISTRATION TO KEEP OR USE ANIMALS FOR THE DIAGNOSIS AND TREATMENT OF HUMAN AND ANIMAL DISEASES

(Person, Firm, Co-partnership, Association or Corporation)

(Address)

Hereby make(s) application to the State Commissioner of Health for registration for the humane use of animals for the diagnosis and treatment of human and animal diseases in accordance with Act No. 241, P.A. 1947.

Section I. Names and brief description of qualifications and experience of persons responsible to the applicant for the proper care or use of animals.

Section II. Brief description of physical facilities for caring for animals.

Section III. Brief description of equipment and sanitary facilities in animal unit or units.

Use additional sheets if necessary.

Return completed application to Albert E. Heustis, M.D., Commissioner, Michigan Department of Health, 3500 North Logan Street, Lansing 4, Mich.

MICHIGAN DEPARTMENT OF HEALTH,
Lansing 4, Mich.

February 1965.

MICHIGAN REGULATIONS FOR THE HUMANE USE OF ANIMALS

1. Application for registration shall be made in writing to the State commissioner of health and in addition to the name and business address of the applicant, it shall contain the names and qualifications of those persons who are responsible to the applicant for the proper care or use of animals under the provisions of this act.

2. Before granting any requested registration, the State commissioner of health shall be satisfied that the applicant has adequate facilities, and personnel qualified by professional training or experience, to assure the humane use of animals in accordance with these regulations.

3. Each registrant shall from time to time, upon written request by the State commissioner of health, furnish a current list containing the names, and qualifications of the persons mentioned in the first regulation.

4. That portion of the premises of each registrant which is employed in connection with the keeping or use of animals for investigational purposes shall be inspected annually at such times as may be designated by the State commissioner of health.

5. Interim inspections may be made at such other times as may be specifically directed by the State commissioner of health.

6. The person making the inspection shall display his credentials and his authorization from the State commissioner of health.

7. Every person who participates in an inspection pursuant to the laws and regulations shall promptly report in writing his findings to the State commissioner of health.

8. All animal quarters shall be kept in sanitary condition. Care, consistent with the type of investigation being conducted, shall be given in all cases to assure the comfort of animals.

9. Any surgical operation which is likely to cause greater discomfort to the animals than that attending anesthetization shall not be undertaken until the animal be first rendered incapable of perceiving pain at the operative site. The animal shall be maintained in that condition until the operation is completed.

10. Anesthetization shall not be required as a condition precedent to the performance of any particular investigation, operation, or treatment if such would not normally be administered were a like operation to be performed or treatment administered to adult humans.

11. If at the conclusion of the investigation the animal cannot live without permanent pain or prolonged discomfort, it shall be painlessly destroyed.

12. Postoperative care for the relief of pain and discomfort shall be of a nature similar to that given in veterinary hospitals.

MICHIGAN DEPARTMENT OF HEALTH,
Lansing, Mich.

April 1960.

Mr. POAGE. Thank you very much.

The next witness is Mr. Phillips who will be followed by Dr. Buttrick.

We will be glad to hear from you now, Mr. Phillips.

STATEMENT OF R. T. PHILLIPS, EXECUTIVE DIRECTOR, THE
AMERICAN HUMANE ASSOCIATION

Mr. PHILLIPS. Mr. Chairman, my name is Rutherford T. Phillips. I am executive director of the American Humane Association (AHA), which maintains its national headquarters at Denver, Colo.

The American Humane Association was founded in 1877 and it is the national federation of local and State organizations for the prevention of cruelty to children and animals. The association and its affiliated agencies represent individual members numbering into the millions.

Animal larceny has been a problem throughout most of history. Years ago, cattle rustling was a major problem in this country. Today,

many people in this enlightened age of the 1960's express an incredulous disbelief when we tell them that cattle rustling is still a problem in some areas of this country. Certainly, animal stealing is not limited to dogs and cats. Indeed, it extends to a great many animals, including rabbits, mice, and hamsters. Horses are also subject to larceny as are other vertebrates less commonly kept as pets.

Reports in AHA files on this subject date back to the 1930's. While we do not have any conclusive evidence to indicate any particular increase in animal larceny during recent years, we feel it is likely that there has been an upsurge in stealing of dogs and other animals. Certainly, there has been an increase in the use of animals by research institutions and medical schools. Purebred dogs are becoming more important as a status symbol as Americans become more affluent, and there is more leisure time for such recreational activities as dog shows and hunting. More hunting dogs are reported missing just prior to the opening of hunting season than at any other time. Conversely, the hunting dogs start turning up in animal shelters—usually picked up as strays—when hunting season ends.

There seems to be quite a booming business in bogus dog registration papers. We have reports of individuals who, for a few dollars, can match official American Kennel Club papers to almost any purebred dog. In fact, "official" papers can be matched even to mixed breeds which resemble purebreds. This is accomplished by reporting to AKC that a litter was larger than it actually was. Then, a few months later, AKC receives an application for a litter registration for an entirely fictitious litter—from the previously registered nonexistent dog A bred to nonexistent bitch B—resulting in official papers on perhaps six or eight nonexistent puppies. These papers are then matched to stolen dogs which are sold to unsuspecting purchasers as pets, or even as show animals. The new owners think they have secured a fine dog at knocked-down prices. What they have purchased is a stolen dog and a spurious pedigree.

While knowledgeable medical people will maintain that stolen or pound dogs are of little value for medical research, the fact remains that the Lone Trail Kennels in Pennsylvania today reportedly sells some 1,800 or more animals every week, primarily for medical research. Most of these are dogs which come from public pounds and other sources as far away as Texas. In 1962, one of our affiliated organizations in Pennsylvania stopped a car which was hauling four dogs. There were two men in the car who said that they were going to the Lone Trail Kennels. One of the dogs was later identified by its owner, the case was tried in court, larceny was established and the two men were sentenced to 1 year in Dauphin County Jail.

The people who steal animals have sometimes been called smalltime bums. They usually realize not more than a dollar or two for each animal they steal; yet they leave a trail of heartbroken children, distraught families and, often, of elderly persons who have lost their only friends and companions. Yes, these pet stealers gain so little, yet they cause untold misery and heartache not only for the pet owners, but for the animals as well. If nothing more, they are at least a great national nuisance.

The American Humane Association has coordinated efforts of its affiliated agencies in localities where individuals or groups have been

active in animal larceny. Prosecution for larceny per se has been more difficult, of course, because it is often impossible to establish ownership of an animal—especially when we are dealing with a dog from Dallas, Tex., which has turned up in Easton, Pa., with all identification tags removed.

Humane workers have been helpless in many instances because the animal stealers move so quickly, not only across county lines but also across State lines. We think that strong State laws may be necessary in many areas, but we feel that the first and major step must come in the form of Federal legislation to stop traffic of stolen animals across State lines.

On March 5, 1960, representatives of the Animal Welfare League investigated the Irwin Stebani Farm, a dog dealer in Calumet County, Wis., following reports received about cruel handling of animals. The investigators found a wire-covered trailer fully jammed with dogs. The trailer was parked at an angle so that the dogs slipped to the lower end where they piled on top of one another. There was a constant turmoil and fighting. Another group of dogs was jammed into a cattle truck with more than 12 inches of excrement on the floor. Other dogs were in an extremely filthy pen in a barn, while still others were tied out in the snow. Food consisted of a few dead carcasses, frozen and unskinned. Small dogs and puppies were unable to eat meat from the carcasses, while the large dogs fought over the meat. There were two piles of dead dogs. We have a number of notarized statements concerning the conditions on this dog farm.

Stolen animals may never reach their intended destinations. There are many losses in transit. One of our men in Pennsylvania came across a dog dealer's abandoned truck, jammed with 75 possibly stolen dogs and cats. Twenty animals were dead, the emaciated survivors were eating the carcasses.

Countless investigations of "dog farms" usually lead us to believe that these are largely collection points for stolen dogs and have revealed unbelievable, inhumane, and deplorable conditions. Hundreds of dogs are crammed into small areas; there is seldom food or water; usually no one in attendance. We find sick dogs, starving dogs, nursing bitches trying frantically to save one surviving puppy out of a litter of six or eight. And, we find dead animals—hundreds of them.

Our files, and those of our affiliated agencies, contain numerous case histories reporting on comparable situations. And, while the major activity is centered in a few States, there are isolated reports from every State. This is not a local or regional problem. It is a national problem which requires corrective action by the Congress of the United States. A law setting standards and requiring licensing of dealers who transport vertebrates across States lines will be most effective and is much needed to eliminate these abuses.

Dog stealers are everywhere. A dog left unattended in a parked car for just a few minutes is fair game for one of these operators. Animals are stolen from backyards, from wire pens—even from dog shows where the owner's attention is momentarily distracted. We have reports of unscrupulous thieves who have trained their young children to take dogs. Many dognapers employ a bitch which is in season and lead her along a quiet street in one of the more affluent residential sections, where the quality of dogs is likely to be high,

and the natural instincts of the male canine residents do the rest. The males will follow such a female right into the dognaper's car. Dognapers have also been known to rub their clothing against a female in season. Even most so-called vicious watchdogs will not attack a person with their clothes so scented.

We are urging you to join with the humane movement and many millions of animal owners in taking action to help prevent the interstate transportation of stolen animals by the licensing of dealers and setting standards.

The question before you now is not one of vivisection or antivivisection. We are not talking about the experimental use of animals in medical research and schools. There is legislation now pending, such as the Rogers bill (H.R. 10049) and companion bills in both the House and Senate, which would provide effective controls to prevent cruelty to animals in laboratories.

The circumstances and the number of documented cases indicate that some stolen animals do go for medical research. We know that the medical interests do not want to have anything to do with an animal which has been stolen. We know that some stolen animals are sold as pets. One reliable newsman told us of an instance where a 1965 Cadillac backed into a driveway and drove away with a puppy valued at \$500. We do not think that this animal was sold for \$2 for medical research use. Some stolen animals are sold for use by hunters. Many of these stolen animals die a horrible death from disease, starvation, and exposure to the elements.

There is little doubt that every year in the United States, thousands—perhaps tens of thousands or even millions of animals are stolen. They are dogs, cats, horses, cattle, rabbits—most of the vertebrates are subject to larceny. Practically all are quickly transported at least across county lines, most are transported in interstate commerce. Appropriate Federal legislation will provide an answer, a solution to this situation which, if not a major national problem is at least a major national nuisance because it directly affects untold numbers of animal owners. No animal owner will be immune from the animal thieves until appropriate legislation is passed to put an end to this insidious practice.

I have included material which consists of affidavits as to specific cases which I would like to put into the record.

Mr. POAGE. Without objection, that permission is granted.

(The documents referred to follow:)

SEPTEMBER 6, 1960.

To Whom It May Concern:

On March 5, 1960, I accompanied a group of people from the Animal Welfare League, Inc., to the Irvin Stebani farm which is located in Calumet County, Wis. Mr. Stebani is a dog dealer.

Our purpose was to investigate reports that the league had received of inhumane treatment of the dogs on this farm. The day of our trip, a two-wheeled trailer, enclosed with wire, was fully jammed with dogs. The tongue of the trailer rested on the ground, placing the bed of the trailer at such an angle that the dogs did not have an even footing and consistently slid to the lower end where they fell on top of one another and the result was a constant state of turmoil and fighting. Males and females, large and small dogs, and puppies were all crowded in together.

Another group of dogs were in a cattle truck and we measured more than 12 inches of manure on the floor of this truck. Other dogs were tied out in the

snow, some to doghouses, but were unable to gain entry to these houses due to deep snow. Additional dogs were being kept in a barn and their pen was in an extremely filthy state.

There was no evidence of water for these dogs anywhere in sight. No protection was available for shelter from the wind and snow for the large majority. Food consisted of a few dead carcasses which were frozen, raw, and unskinned. Small dogs and puppies were unable to tear meat from the carcasses, while the large dogs fought over the meat. I saw two piles of dead dogs on this farm.

I am writing this in hopes some more capable and powerful organization than our small local group will lend its power and knowledge to save these animals from such inhumane treatment and continue to strive for legislation to prevent such conditions.

LEONE M. SPRINGER,
GEORGE W. GOLDNER,
County of Winnebago.

My commission expires August 11, 1963.

COMBINED LOCKS, WIS., *September 6, 1960.*

To Whom It May Concern:

In losing our beloved collie I have learned about the cruelty being permitted and I have met some of the fine people trying to prevent it.

I was told that Mr. Stebane is a dealer in dogs and has two farms at Forest Junction where he keeps them. Yesterday, Labor Day, my husband, our little daughter and I drove out there to see if they might have found or picked up our dog. We went to the farm he rents next to the place he lives on. There were several children playing in the yard who ran in the house and locked the door as our children approached the house. I had pictures of Lassie and knocked on the door.

They peeked out the window and timidly unlocked the door. I asked if I might speak with their parents. They said their parents weren't home. I showed them the pictures and said I had been told that Mr. Stebane picked up lost dogs and I wondered if he might have found our collie. They acted a little frightened and said I'd have to talk to their brothers because they didn't know anything about it. I approached a partly open door in the barn and saw a full-grown collie or part collie tied and lying in some straw. It wasn't my dog so I went on and the boys came out of a smaller building.

I repeated the questions and the boys smiled sheepishly, looked at each other but said they hadn't seen a dog as large as ours, and we couldn't see them because they had been given orders not to let anyone go back there without permission from Mr. Stebane. They said he was probably in the cornfield and if we went to his house someone would call him. We went to the farm and knocked and rang the doorbell and called but no one came. There was a black goat tied to a stake near the driveway and several very lean dogs and cats running around.

I saw about five or six small kittens in the yard, two female dogs that had obviously had puppies. There was one black male there. I saw no water or food anywhere, nor any empty dishes either. I walked around calling our dog's name. As I passed a white shed there was an awful commotion of dogs barking and howling. I didn't want to be shot at for trespassing, but I wanted to see if Lassie were there so I pushed the door open and about a dozen cute collie puppies tried to get out. I closed the door and went around to the back of the building. There was a small fenced-in enclosure with a couple of small holes for the puppies to crawl out of—and they did, about 12 or 15 of them. They were cute and well fed. We went back to the other farm and talked to the children, again with the same results.

There were half-grown cats laying by the house. I don't know if they were females expecting or just well-fed cats because I didn't pick them up. There were three or four small kittens and as many puppies. I saw three full-grown and one half-grown dog of various breeds running around.

About 1:30 p.m., we went back, a distance of about 12 miles or so from our home. The children were still alone, they said they didn't know where their parents were, but that Mr. Stebans had gone to a county fair (Chilton) and he would be home at 6 o'clock to milk the cows.

I said: "I won't touch the dogs, I just want to look at them to see if Lassie is here. If I see her I'll come back tonight when Mr. Stebane is home." They repeated that they had been given to us and they couldn't "let anyone go back there."

About 7 p.m., my husband and my son-in-law, went back. There was still no one at the Stebane farm so they looked in the shed where the puppies were. They said there were little pigs on both sides and the dogs in the middle. There were food pans there, but not our dog. They went to the farm where the children are and they were still alone and said Mr. Stebane had been there to milk and left again and told them again not to let anyone go back to look at the dogs.

The farms looked clean and well kept, and as they left they saw dogs in pens behind the barn, but didn't go back to look.

If they do have dogs, as the children admitted, then what has he to hide that we weren't allowed to look for our lost pet? The children said he keeps the best dogs himself, and they hoped we'd get ours back without paying any money.

I am afraid this isn't going to help our cause, but as long as we didn't see the dogs or Mr. Stebane, I don't know for sure if he is mistreating the dogs.

HECTOR HARTJIS.

P.S.—I fail to see why there are so many laws with "loopholes" to protect crooks and other people with dishonorable and dishonest intent and so few to protect and help those with decent and humane motivations.

APPLETON, WIS., September 6, 1960.

To Whom It May Concern:

March 5, 1960, was the day of my first "visit" to one of the Irvin Stebane farms in answer to a cruelty complaint made to me by three area people. The district attorney and sheriff of Calumet County and the sheriff's photographer were among those present for the investigation. The Twin City News-Record photographer and reporter were present, also.

I saw a two-wheeled trailer in the yard—unelevated—filled with puppies to the overcrowded capacity. Small screened opening was their window. The back end of the trailer had a small door; I opened it and observed a paneling to divide the trailer into two divisions. Larger dogs were in here, but crowded. No animal had a space to lie down if it desired. It was difficult to determine their physical condition.

Several dogs were tied to dog coops—one had a calf carcass partly devoured—drifted snow made it difficult for animals to get into their coops. One shepherd dog seemed emaciated. A four-wheel trailer near the barn held eight or nine large dogs with several carcasses. No dog had space to lie down because of bones and carcasses covering the floor. The floor was thick with filth. Males and females confined—dogs fought now and then with each other.

A bin in a formerly used chickenhouse contained a dead cat. Part of its hind-quarters was chewed away. This interested me enough to examine the box. No rat or mouse holes were apparent. The floor of the box was covered with 7 to 8 inches of possible cat droppings. No opening for air passage was apparent. The cover was hinged and slanted downward for a tight fit. (At another "visit" on March 8, a Stebane boy answered my question why it was used. He replied: "We can't help it if people put their cats there." Five or six horses were confined in the chicken house. Outside the chicken house, two boxes of frozen puppies lay in thawing snow. (Pictures taken of this.)

Milk was being taken from this farm to a local cheese factory.

March 10 visit was made with State health engineer, Mr. Egger of Fond du Lac, Wis. The town of Brillion officials present and county sheriff. We found Mr. Stebane on the farm this time. He stated that he delivered dogs to Grafton, Wis. He showed Mr. Egger and me a check for \$483 drawn on a Grafton bank. Stated he received 8 cents a pound for his dogs.

The information I have given here is true to the best of my knowledge.

Sincerely yours,

ALYCE BUTLER.

SEPTEMBER 12, 1960.

GEORGE W. GLADNER,
Winnebago County.

My commission expires August 11, 1963.

This is to certify that the undersigned made two visits on March 5 and March 8, 1960, respectively, to a farm owned by Irvin Stebane, located approximately 1 mile north of Forest Junction, Wis., in the town of Brillion, and there witnessed conditions which were neither sanitary nor humane in regard to the way in which dogs were kept subsequent to collection or purchase and prior to sale or other disposal.

EDWIN R. LAUGHLIN, *Appleton, Wis.*

On this 8th day of September 1960, before me a notary public of the State of Wisconsin, county of Outagamie, appeared Dr. Edwin R. Laughlin, who is personally known to me, and swore that the foregoing statement is a true statement.

MAYBELLE E. MAIS,

My commission expires August 9, 1964.

Notary Public.

[From the News-Record, Neenah-Menasha, Wis., Mar. 7, 1960]

HOW VIVISECTION "MATERIAL" IS GATHERED—SHOCKING FILTH, FROZEN DEATH FOUND AT NEARBY "DOG FARM"

WELFARE PARTY VISITS SCENE

(By Kitty Worzalla, TCNR staff writer)

It was a scene of frozen death. It was a scene of filth. It exists in Calumet County.

It was a scene visited Saturday by several Twin City members of the Animal Welfare, Inc., in an attempt to bring pressure to end the activities of one "dog dealer." A sheriff's officer accompanied the group.

The implications of the ill-kept farm, where the sun had uncovered at least two piles of dead puppies lying near one of the farm buildings, exceeded the cruelty to dogs which took the group, armed with a search warrant, to the farm for the first time earlier last week.

Milk is sent from the farm to a nearby processor. The health inspector from the township where the farm is located, and who only recently assumed his duties was both interested and shocked by what he saw when he accompanied the group Saturday.

Local humane societies, for the past 2 years have been working on ways in which the "dog dealing" business can be stopped.

A dog dealer collects the animals, sometimes buying them, sometimes, it is alleged, by simply picking up any "stray" dog which he might find in a city or in the country. The animals are then sold to laboratories.

What concerns the welfare group is not simply the inflammatory issue of vivisection. It is, in large part, the conditions in which the dogs are kept at the farms of these dealers.

Saturday, it was said, revealed a typical example. A series of a half a dozen small dog houses in a field near the farm protruded only briefly through the drifts of snow. Two dogs were chained in the area. There was no heat. The large dogs were unable to get into the houses. Lying near them were half-gnawed carcasses of Holstein calves. The whole front of each of the carcasses had apparently been thrown to them.

In a ramshackle wooden farm wagon with a large coop built on the top were 8 to 10 large mongrels of the collie variety. Also inside the coop were three half-eaten calves' carcasses on which the dogs were gnawing and fighting. The contrivance was located in the open next to the barn. With the carcasses and entrails on the floor of the wagon, there was no place for dogs to lie.

Jammed into the smaller trailer coop, typical of those used by householders to haul junk to the city dumps, were between 8 and 10 smaller puppies. They were enclosed in one small wired section, one of three which segmented the carrier. The dogs crammed into the other two fought through the small mesh wire. This, too, stood in the barnyard without benefit of cover or heat.

Near the enclosed pig pen in which there was the half eaten body of a cat, were two piles of dead puppies whose frozen bodies were covered with snow but had been uncovered in a thaw.

Two smaller dogs were shut in an open in the field at the rear of the barn. On top of the cages in that section were the frozen bodies of three raccoons.

When the local group visited the farm last Wednesday one of the children gleefully informed them that the "dog dealer" disposed of "sluggish" puppies by grabbing them by the hind feet and throw them against the barn.

"We always watch," the child reported happily.

This dog dealer is said to pick up the majority of his animals at the Appleton "pig fair" held at the end of each month. He is also said to encourage farmers to bring all their puppies to him and some dealers encourage farmers to see that their dogs have as many litters as possible. Unlike dairy cattle, the breeding of these animals is not important.

The Calumet County dog dealer also is reported to encourage farmers to bring all cattle that die to his farm so that the carcasses can be thrown to the animals. He doesn't have to buy food that way.

All of this filth lies about the barn. There are no flies or stench now, but neither is there a spring or summer sun.

The farm is one of several owned by this dealer. When the investigation was first started, he welcomed the welfare group to the farm where he resides. There were no dogs on this farm.

When the welfare group discovered the real site of the animals, the farmer threatened to shoot welfare and humane society officials who sought to investigate.

Welfare officials, whose organization encompasses the counties of Winnebago, Calumet and Outagamie, says that similar conditions exist definitely in Outagamie and may exist in Winnebago.

Among the members of the newly organized Animal Welfare, Inc., are Dr. Elizabeth Henning, Mrs. Alice Butler, Dr. Edwin Laughlin, Howard Larimer, and Norman Moe, all of whom reside in the Appleton area, with Mrs. Leone Springer and Mrs. Vera Schultz, of the Twin Cities.

No formal charges have been brought against the dog dealer.

FARM FOR ANIMALS IS RAIDED

"This is the worst concentration camp for animals I have ever seen," Mrs. Kurt Udolf said yesterday as she stalked grimly over a hillside where a dog, a rabbit and a chicken lay dead and a number of other animals were chained without protection from the cold.

An official agent for Crawford County Humane Society, Mrs. Udolf announced that she will file charges of cruelty to animals today against Mr. and Mrs. George Whitesell, owners of the animals.

Six skinny dogs—three large and three small—were chained outside, each to a small doghouse. The kennels were small shelters with open doors and very little straw inside. One was a tin shelter with no straw at all.

The dead dog—he apparently was a victim of starvation and below-zero weather, Mrs. Udolf said—still was chained to his wooden doghouse, nothing but a little matting between him and the ground.

Farther up the snow-covered hillside in West Mead Township on a dirt road which angles off McGaw Road was a heatless shed containing two ponies. The animals' halters were tied too short to permit them to lie down.

Outside again, Mrs. Udolf discovered a pen with an open chicken-wire front. Opening the small door, she exclaimed, "There's a dead rabbit in here." "Oh," said Whitesell, who was following her around, "we don't take care of them. They're old."

In a three-sided "chicken coop" one chicken sat huddled up with its head under its wing against the penetrating cold; the other was dead, frozen so tightly to the ground that it couldn't be budged.

In a dilapidated barn a goat bleated feebly. Another dog was tied here by a chain so short that he could move no more than 2 feet in any direction.

None of these many dogs barked at the strangers walking all over the hillside through the knee-deep snow—Mrs. Udolf, who explained that they didn't have enough spirit left to care about barking; her friend, Mrs. Betty Grove; Meadville Detective Sgt. George Kelyman, and a Tribune reporter and photographer.

Mrs. Udolf informed the Whitesells that all their animals would be taken away and that she would see to it that they never own another pet. She asked them why they kept the dogs. When they answered that they were their children's pets, she asked, "What do the children do, make the rounds, say hello to each one and then go back into the warm house?"

A neighbor of the Whitesells had called Mrs. Udolf at the Meadville Animal Refuge to report that one of the Whitesells' dogs had frozen to death last week and it appeared that another one had died yesterday. Mrs. Udolf went immediately to the home to check out the situation—she said later that she cried when she saw it.

The six living dogs were removed by humane society officials last night and the three older ones put to sleep because they were so gaunt and emaciated. Mrs. Udolf said she could not help taking the three little ones with her to the refuge where she and her husband take care of the city's strays.

These three which she had thought were puppies actually are about a year old, she discovered, but undersized for lack of nourishment. One, all black, weighs no more than 5 or 6 pounds. She says she will find good homes for these little fellows who are very friendly but also very skinny and who, she predicts, will be wonderful pets if they are fed and cared for.

The black one is a toy cocker spaniel, long haired. Another is short haired, black with brown. The third is a lively little wirehaired terrier.

The ponies, the goat, and the chicken will be taken away.

THE AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS,
New York, N.Y., April 11, 1963.

Mr. RUTHERFORD T. PHILLIPS,
Executive Director, the American Humane Association,
Denver, Colo.

DEAR "RUD": Yesterday afternoon Dr. John Whitehead, director of our hospital, gave me an almost unbelievable report.

He stated that within the last week a veterinarian friend of his accompanied a doctor to an installation in Pennsylvania. The M.D. informed the veterinarian they were going to a place where dogs were collected for distribution to hospitals, laboratories, and research facilities. The situation and conditions at the collection point were deplorable. Approximately 1,000 dogs were restrained in 10 pens. They were so crowded they could not lie down. In addition to dogs with obvious distemper and some throwing fits, there were also dead dogs in the pens.

This facility is run by a Mr. John Dieroth. It is located in Boyertown, Pa., near Doylestown.

Your directory of humane organization lists the Humane Society of Berks County in the city of Reading, Pa. This is apparently the humane society closest to Boyertown.

Recently a Pennsylvania court decision was handed down to the effect that dogs and cats are not included among the domestic animals protected by the laws of Pennsylvania.

We are very much interested in any information you obtain about the above allegations.

Sincerely yours,

E. M. ROWAN,
Colonel, U.S. Army (Retired),
Director of Humane Work.

Mr. PHILLIP. I would also like to file the statement of Thomas C. Justice, general manager, Humane Society of the city of Columbus, president, the Ohio Federated Humane Societies.

Mr. POAGE. Without objection, that may be made a part of the record at this point.

(The prepared statement of Thomas C. Justice follows:)

STATEMENT BY THOMAS C. JUSTICE, GENERAL MANAGER, HUMANE SOCIETY OF THE CITY OF COLUMBUS, PRESIDENT, THE OHIO FEDERATED HUMANE SOCIETIES, PRESIDENT, THE AMERICAN HUMANE ASSOCIATION

Mr. Chairman, my name is Thomas C. Justice. I am general manager of the humane society in Columbus, Ohio. I am also president of the Ohio Federated Humane Societies and president of the American Humane Association.

All of the organizations which I represent are strongly in favor of Federal legislation which will help to curb the traffic of stolen animals in interstate commerce.

I might mention that there has been a considerable traffic in dogs and other vertebrates from the State of Ohio into the Commonwealth of Pennsylvania. The so-called Pennsylvania dog law of 1965 may tend to impede this traffic, but I am sure that the traffic will only be diverted and will continue unabated into other States. Our local organizations have experienced great difficulty in stopping this traffic, because shipments move so rapidly from one jurisdiction to another, and from one State to another.

Throughout all of my more than 25 years in humane work, the problem of stolen animals has been a significant factor. We have been involved with investigation of the so-called dog farms. We have investigated countless incidents involving the transportation of these stolen animals. To cite specific instances would tend to be repetitious. Suffice it to say, we know from actual experience that the stealing of animals is a definite problem, and we feel that corrective action—in the form of Federal legislation which would require licensing and set standards—is most desirable and that such legislation should be passed.

The Humane Society of Columbus, the Ohio Federated Humane Societies, and the American Humane Association urge passage of Federal legislation to control the interstate transportation of stolen animals.

Mr. POAGE. The next witness is Dr. Carlton E. Buttrick, who will be followed by Mr. Shaffer. We will be glad to hear from you now, Dr. Buttrick.

STATEMENT OF DR. CARLTON E. BUTTRICK, DIRECTOR AND CHAIRMAN OF THE AMERICAN HUMANE ASSOCIATION'S COMMITTEE ON LABORATORY ANIMAL CARE

Dr. BUTTRICK. Mr. Chairman and members of the committee, my name is Carlton E. Buttrick, and I am a director and chairman of the American Humane Association's Committee on Laboratory Animal Care. I speak today to urge your support of legislation to regulate the transportation, sale, and handling of dogs, cats, and other vertebrate animals intended to be used for purposes of research or experimentation, and for other purposes.

The need for legislation in this area has been amply demonstrated not only by the testimony given before this committee on September 2, 1965, and the past 2 days, but by space devoted to the problem in newspapers and periodicals across the country. More and more State legislatures are being asked by their constituents to do something about the increasing large-scale theft of household pets.

The General Assembly of the Commonwealth of Pennsylvania has just recently enacted into law an act which will, in part, regulate the sale and transportation of dogs and declare dogs to be personal property and the subject of larceny. There is presently before the General Court of Massachusetts a bill which would provide for a fine of not more than \$1,000, or a year in prison, or both, for stealing a dog.

At a hearing before the Legal Affairs Committee on March 1, 1966, several witnesses told of personal experiences of losing their dogs by theft. State Senator Oliver F. Ames of Boston's Back Bay recited the instance of a truck cruising the Back Bay picking up dogs until someone spotted the license number and the ring was broken up.

Perhaps of even greater significance to these hearings is a case of cat stealing in New England, which through the combined efforts of police officials and humane organizations in these States was at least temporarily stopped last year. Three men were reported stealing cats in New Hampshire and Vermont. Investigation uncovered the fact

that the men were driving a car with Connecticut license plates. All three men, who gave a Claremont, N.H., address, were arrested in Vermont and arraigned in the Rutland municipal court on two counts of the theft of six cats from a Kenneth LaDuke and nine cats from Edson Burt. One of the men, Rallin E. Washburne, admitted the thefts and was fined \$100, but his two companions maintained innocent pleas and were released on bail. It was learned, however, that this ring had been delivering cats to the Connecticut Biological Laboratory, Southamton, Mass. An official of the laboratory admitted that the laboratory had been doing business with one of the men arrested for some years and estimated that in the last 2 years he had sold the laboratory about 2,500 cats at \$2.50 apiece, but the laboratory had assumed the cats had been legitimately procured. It was brought out in court, however, that cats also were secured on false pretenses and the men went to several houses telling various stories to get the cats turned over to them. At one house, for example, the men told some children that their father had given them the cats.

Strong Federal legislation is needed to stop this sort of thing. A \$100 fine is hardly a deterrent when over \$6,000 can be picked up in one's spare time over a 24 months' period. Any Federal legislation adopted should require the:

- (1) Licensing of animal dealers;
- (2) Promulgation of standards for the humane care, handling and transport of animals;
- (3) Keeping of adequate records, including bills of sale;
- (4) Elimination of sales or purchases of animals in commerce at public auctions, or by weight;
- (5) Adequate inspection of dealer facilities, and;
- (6) Establishment of adequate penalties for noncompliance, including revocation of dealers' licenses if found guilty of cruelty or theft.

In the wisdom of the committee, I would respectfully urge it to report out legislation designed to incorporate the above-listed points, including a position similar to that found in section 5 of H.R. 9750 in order to prevent any conflict with bills now pending before the Interstate and Foreign Commerce Committee.

Mr. Chairman and members of the committee, I appreciate your courtesy in hearing me.

Mr. POAGE. Thank you very much, Mr. Buttrick.

Mr. Shaffer will be the next witness to be followed by Jo V. Morgan.

We will be glad to hear from you now, Mr. Shaffer.

STATEMENT OF J. J. SHAFFER, MANAGING DIRECTOR, THE ANTI-CRUELTY SOCIETY, AND CHAIRMAN, AHA ANIMAL LEGISLATION COMMITTEE, CHICAGO, ILL.

Mr. SHAFFER. Mr. Chairman and members of the committee, I am managing director of the Anti-Cruelty Society, and chairman of the AHA Animal Legislation Committee.

I respectfully ask your favorable action on proposed humane legislation covering dealers in research animals, institutional recipients of such animals, and interstate transportation of stolen dogs and

other vertebrate animals. Such proposals generally and with few exceptions are covered to our satisfaction in a bill offered by the Honorable W. R. Poage of your subcommittee and in somewhat similar bills offered by various other Members of Congress.

I appear as a spokesman both for the American Humane Association's animal legislation committee, of which I am chairman, and as managing director of the Anti-Cruelty Society, a statewide humane organization with approximately 20,000 supporters, located at 157 West Grand Avenue, Chicago, incorporated not for profit under Illinois law.

I want to make it clear that we are not here to wage war on medical research or its reputable suppliers, nor do we do so at home. We have lived in relative peace and understanding with them for decades, and on many occasions have shared confidences with research leaders and public health officials regarding problems in laboratory animal care. My interest in this cooperative approach traces back through 23 years of service in the Army Medical Department and many years with prominent veterinary medical organizations.

Exposés—of slipshod and cruel traffic in experimental animals—that have triggered the present legislation proposals are so well documented and so widely publicized that nothing further could be served by my comments on them. Others testifying will offer firsthand reports, should you wish for corroboration. Suffice to say that in the humane field, we feel just about as desperate and helpless as some of the publicized animal victims, because we don't have the authority or manpower to go it alone on the nationwide cleanup campaign needed to end such shocking abuses.

We need the help of a strong Federal law that embodies the power for dealer licensing, complemented by equally strong State laws that pick up from there. Contrary to what some in research have tried to claim, we are not seeking entry and inspection power for ourselves through Federal law; we ask only that such authority be in the hands of an agency, to be designated by Congress, that will work conscientiously and fairly with all interests involved.

We are in support generally with the bills presented by Mr. Poage and other Members of the Congress that cover dealers and research animals in interstate transportation of stolen dogs and some other vertebrate animals.

Our experience in obtaining the passage of a State law in Illinois in 1965 convinces us that it is possible to get agreement between research and humane work on a fair-dealer licensing proposal, such as the subcommittee will consider on a national basis. In early steps of passage, we met with resistance from medical research spokesmen who feared the Illinois proposal would lead to harassment of dealers and cutoff of animal supply. Friendly conferences erased the fear, and the bill was passed into law with provision, among other things, for licensing of dealers in research animals, this licensing power being vested in the State director of agriculture.

We are confident that a properly drawn Federal law would move the Nation closer to the realization of sound humane goals while also boosting the integrity of medical research. Too many gruesome facts have been laid bare for our liaisons in research to keep on proclaim-

ing, as a few have done, that everything is shipshape and humane in the channels of experimental animal procurement. There is no doubt that some in their field have done their best, with results varying up to excellent, but this kind of law is mandatory for the control of those others who haven't and won't without it.

Thank you.

Mr. POAGE. Thank you very much.

We will next hear from Mr. Jo V. Morgan, to be followed by Mrs. Paul Twyne.

STATEMENT OF JO V. MORGAN, JR., AHA ATTORNEY, AND WASHINGTON REPRESENTATIVE, AND DIRECTOR, MONTGOMERY COUNTY HUMANE SOCIETY, MARYLAND

Mr. MORGAN. I am Jo V. Morgan, Jr., Mr. Chairman, an attorney having my office at 815 15th Street NW., Washington D.C., and I am Washington counsel for the American Humane Association, a national federation of over 500 humane societies, SPCA's, and animal rescue leagues, as well as director of the Montgomery County (Md.) Humane Society.

The American Humane Association supports enactment of the type of legislation now being considered by your subcommittee designed to prevent traffic in stolen animals. I, and the other representatives of the American Humane Association who are here in Washington today, will refer to our experience which underlines the necessity for the enactment of such legislation. However, first we should like to suggest the following points with respect to the legislation which we trust you will favorably report:

1. It should not be limited to dogs and cats. While these animals are very important in this regard, we suggest also that the legislation cover all living vertebrate animals, including livestock. As this subcommittee especially well knows, rustling is still a major problem.

2. It should not be limited to animals intended for research. Our experience leads us to believe that the stealing of hunting dogs, especially just prior to and early in the fall of the year, is a very serious element of this matter, as well as the stealing of valuable pedigree pets for resale, often with forged or switched pedigree papers.

To limit the law to animals intended for laboratory use will greatly increase the problem of prosecution, since a specific intention will have to be proved.

3. Care should be exercised that this legislation essential for the prevention of the stolen-animal traffic, does not overlap the proposed legislation now being considered by the House of Representatives Committee on Interstate Commerce for the setting up of standards in laboratories. The American Humane Association unreservedly supports, and has supported, H.R. 10049 and the identical bills introduced by Congressmen Rogers, Pepper, O'Brien, and others. I should like leave of the committee to place a copy of H.R. 10049 in your record.

You have to have the intent in every conviction under this law, and any dealer, if he is inspected would say, "I do not sell to laboratories—I just sell these dogs as pets." We feel that there should not be a

limitation on this as to the laboratories. True, laboratory animals are very important and, perhaps, the major use, but the other is very important, too. We feel that the stealing of hunting dogs, especially just prior to the hunting season, is very serious. My dog, incidentally, got stolen exactly in that way, a beagle. And we think that the stealing of pedigree pets to be sold with forged papers is also a problem.

I should like leave of the committee to place on copy of H.R. 10049 in your record. I know that you have a copy of this in your record, but I should like to have it placed in the record here.

Mr. POAGE. We have that already in our files.

Mr. MORGAN. I will not add it, then.

We urge that wording like that found in section 5 of H.R. 9750, one of the bills before you today, be incorporated in any bill favorably reported by your committee, to assure that they are not two Cabinet members, the Secretaries of Agriculture and of Health, Education, and Welfare, with overlapping authority to promulgate standards for the humane care of research animals within the laboratories.

If I may, I should like to relay a personal experience which brought home to me the present need for the type of legislation you are considering. In August 1963 at the request of the Talbot County (Md.) Humane Society, I went to Caroline County, Md., on the Eastern Shore, near the town of Goldsboro, and near the Delaware State line, to investigate a suspected dog-collection station. What we found was fully as horrible as the similar installation pictured in the recent Life article. Hundreds of dogs were jammed into small wire enclosures with no water, fed by beef heads from a nearby abattoir thrown among them, with many sick and dying animals chained to stalls in an old dairy barn, and no one in attendance during the day.

In this particular instance, the operator was prosecuted and convicted by a trial magistrate and fined \$50, but this conviction was reversed by a jury on appeal. I noticed from a recent newspaper that he had just been convicted again by a trail magistrate and I understand that he has again appealed his conviction. Our investigation indicated that dogs were collected all through the week until the pens were jammed and on Sunday were shipped out, mostly across State lines. Among the dogs, were not only dogs which would have been suitable for use by research establishments, but other dogs which were obviously dogs which were the type to be used as pets, or as hunting dogs.

Mrs. Henry A. Gardner, then president of the Montgomery County (Md.) Humane Society and the American Humane Association's service council representative from Maryland, accompanied me that day. I have her statement, which I ask be included in the record. She is today testifying before the Maryland House of Delegates on local and State humane legislation. There are present today members of the Talbot County Humane Society. Their president, Mrs. William E. Shannahan, is also testifying in Annapolis and has asked me to request that her statement concerning the investigation to which I have referred, be included in your record.

In conclusion, I might add that the American Humane Association is wholeheartedly in favor of legislation to meet this problem, as is the Montgomery County Humane Society.

I have a statement here of Mrs. Henry A. Gardner, vice president of the Montgomery County Humane Society and one of Mrs. William E. Shannahan, president of Talbot County Humane Society, Inc., which I ask be placed in the record. They give the details on this particular investigation in great detail. Mrs. Gardner also points out her experience in the sense of hunting dogs and pet dogs.

Mr. POAGE. Without objection, those will be made a part of the record at this point.

We thank you.

Thank you again very much.

(The statements of Mrs. Henry A. Gardner and Mrs. William E. Shannahan are as follows:)

STATEMENT OF MRS. HENRY A. GARDNER, VICE PRESIDENT OF THE MONTGOMERY COUNTY (MD.) HUMANE SOCIETY

Mr. Chairman, members of the committee, I am Mrs. Henry A. Gardner, of 17 West Irving Street, Chevy Chase, Md. I am vice president and formerly president of the Montgomery County Humane Society and am the American Humane Association's service council representative for Maryland, and I have served as a voluntary humane officer for over 8 years, investigating complaints and problems concerning animals, large and small.

In August 1963, Mr. Jo V. Morgan, Jr., and I, as officers of the Montgomery County Humane Society, which under the Maryland law may investigate reports of cruelty through the State, went to Caroline County on the Eastern Shore of Maryland at the request of Talbot County to investigate complaints about conditions on a farm owned by a dog dealer.

Never, in my years of experience in this work, and with animals, have I ever seen such misery. The pictures show only a part of it.

Although possibly many of these animals were supplied for purchase by laboratories, it was obvious that many were intended to be sold as pets and hunting dogs. In my experience with the Montgomery County Humane Society, it has become clear to us that dogs and cats are stolen not only for sale to laboratories, but also for sale as pets, and especially during the fall, for sale for hunting dogs. The latter disappear at a greatly increased rate early in the fall and, after the season is over, a great number of them are picked up.

The Montgomery County Humane Society strongly urges passage of legislation to prevent these abuses.

STATEMENT OF MRS. WILLIAM E. SHANNAHAN, PRESIDENT, TALBOT COUNTY HUMANE SOCIETY, INC.

Mr. Chairman, members of the committee, I am Mrs. William E. Shannahan, president, Talbot County Humane Society, Inc., of Easton, Md. On August 26, 1963, I was called upon to investigate conditions of a place in Goldsboro, Md., then known as "Hughes Kennels." Also present at this investigation were Mrs. F. C. Thomas, of the Talbot Humane Society; Mrs. Mary Gardner and Mr. Jo V. Morgan, Jr., of the Montgomery County SPCA.

The owner-operator of this kennel, Clifford Hughes, was not at home at the time of our visit, but the gate was open, and the property was not posted, so we looked around thoroughly. In an old converted chicken shed were a large number of dogs, mostly hounds. The shed was locked, but we could see that it was full of dogs. A man whom Mr. Hughes had taken into the shed to see these dogs prior to our investigation said the shed was so hot and foul smelling he could hardly breathe in there. There were probably about 150 dogs housed in this area at this time—the barking at our arrival constituted a roar.

Attached to the shed was a fenced-in area; most of the dogs rushed from the shed to the fence, apparently in anticipation of being fed. There were cattle skulls and bones in various stages of decomposition all over the place. Most of the ones inside the compound had been picked clean. An Irish setter was gnawing on one. We later found out that Mr. Hughes works 2 days a week as

a butcher at an nearby slaughterhouse, and brings the heads, intestines, etc., home for the dogs. The smell from the rotten meat and the dog excrement was unbelievable; and there were flies crawling everywhere.

[The sanitation officer for that county told me that he was present on one occasion when Mr. Hughes was feeding the offal to these dogs, and he hopes he will never see such a sight again. This type of feeding incites the dogs to fight viciously—often maiming each other. A friend of Mr. Hughes inadvertently told one of our board members that “when they get fighting too bad, Hughes separates them with a bullwhip.”]

There was no shade in the area and as the shed must have been overcrowded at best, it is obvious how these dogs must have suffered with the heat during the summer months.

To the left of the chickenshed stands a barn. Here, chained to old cattle stanchions, we found a bunch of sick dogs. Several were unable to get up on their feet. In spite of the heat, these sick dogs had no water—there was no water in reach of any of them. One of these dogs appeared to be blind, but we later found that hard, dry, encrusted mucous had completely sealed this little dog's eyes. Its nose and ears were also completely plugged with hardened mucous and filth. Another room in this barn was filled with dogs, these being mostly beagles and mixed-breed dogs. In the trade, these dogs are called “killer dogs,” and are bought with some degree of regularity by the “killer dog man,” for resale to laboratories. The term “killer dogs” is given to the dogs the seller assumes are going to be killed.

There is a well-worn road leading to the back of the Hughes' property. This whole woodland area was littered with dog carcasses and bones in various state of deterioration. Dog skulls were all over the place, and, judging by the teeth in these skulls, the dogs had not died of old age. Buzzards circled overhead, and flies rose in black clouds. A resident of the area told us that Hughes dumps great quantities of dead dogs back in the woods, and this dumping is apparently still going on, because last summer (1965) we received further complaints that dead dogs were being dumped in the area.

Mr. Hughes calls himself a farmer, butcher, and dog dealer. He sometimes refers to his keeping of 350 dogs as a part-time hobby. There are two other dog dealers in Caroline County—two other big ones that is.

These dealers are very particular about who they do business with. The dogs are brought to dealers in trucks, station wagons, and car trunks. The dealer buys from people he can trust, always paying cash. Most of the nonhunting types are friendly, tail-wagging dogs, for which the dealer pays \$2 to \$2.50 each, regardless of age, sex, or condition. Larger dogs are worth slightly more, and there is always a market for any purebreds that are picked up. Hunting dogs and hounds (this includes beagles) are particularly desirable, as they are sought by both hunters and laboratories.

Our humane society shelter attendant was approached a few years ago by a young man who urged him to “get in on the easy money like everybody else” and sell the shelter dogs “out the back door” in loads of 25. He offered \$2 per dog and \$1 cat, and told how he and his friends had fixed up their pickup trucks so they could pack in a real load of dogs “without any nosey busybodies being any the wiser.”

The Maryland Retail Sales Tax Division currently has a case against Mr. Hughes, based on dog sales of \$10,000 per year. They are currently investigating other dog dealers. Anyone deriving this kind of income from the sale of animals should surely be open to inspection, and should be forced to afford the animals in his custody certain standards of care.

I would like to point out that Mr. Hughes is still in business. He notified us that if we came on his place we would be trespassing, and we know that any information gotten while trespassing is not admissible in court. The only way we have been able to keep an eye on his activities is to give him prior written notice of the time and date of our inspection, which gives him ample opportunity to remove anything he does not want us to see.

The society of which I am president, firmly believes that Federal legislation is needed.

Mr. POAGE. Thank you.

The next witness is Mr. Paul Twyne, to be followed by Dr. Sussman. We will be glad to hear from you now, Mrs. Twyne.

STATEMENT OF MRS. PEARL TWYNE, PRESIDENT, VIRGINIA FEDERATION OF HUMANE SOCIETIES

Mrs. TWYNE. Mr. Chairman, and members of the Agriculture Subcommittee, my name is Pearl Twyne, I am president of the Virginia Federation of Humane Societies and a State humane officer. The statement I am making today is supplemental to the statement I made before this committee in September 1965, based upon further investigation and visits to laboratories and holding stations of dealers supplying animals for research purposes. These dealers are either game wardens who collect dogs from public pounds or persons whose sole work is based on the collecting of dogs and other animals for sale to research institutions.

Without exception, I found that animals are held under the same conditions which have received national publicity because of the cruelty to animals in these holding stations. Dogs and cats are crowded into small pens and no effort made to feed the animals separately to ascertain that each dog or cat receives its share of the food. The fierce dogs attack and injure the others. The pens are filthy because it is impossible to clean them with so many animals.

When a load is ready, the dogs and cats are crowded into cages and stacked in a closed panel truck where there is inadequate air or space for their needs. The animals are generally moved at night from Virginia to Maryland and Pennsylvania to big suppliers of animals to research institutions.

I have visited several laboratories in the metropolitan area, and have found that there is no uniform standards of care for the animals being used for research purposes. I have found many animals crammed into cages which were too small for their size. Since millions of dollars of public money is being channeled into medical and research projects, we believe that the public is warranted in demanding that uniform standards be established by the U.S. Department of Agriculture which should be followed by all research and medical institutions receiving public funds. Surely those institutions which test operations or drugs on animals or who inoculate them with diseases so that they may be able to help human beings by means of the results thus obtained, should have no objection to alleviating as much as possible the pain which they cause. Therefore, a supply of fresh drinking water, clean cages—not hosed with the animal inside—resting boards, and space adequate for the size and specie of animal is a debt which man kind owes these animals.

We favor in principal, bills which if enacted would:

1. License animal dealers.
2. Set humane standards for care of all species of animals on dealers' premises and in laboratories.
3. Remove Federal funds from laboratories if they fail to comply.
4. Provide for revocation of dealers' licenses if they are found guilty of cruelty or theft.

I have a statement signed by three veterinarians in the northern Virginia area in favor of these proposals I have outlined. It has been signed by these three veterinarians who think that we should even have a local law including pet shops along these lines.

I, also, have a statement that I would like to submit for the record from the Animal Welfare League of Fairfax County. They have voted to support these provisions.

Mr. POAGE. Without objection, these may be included in the record. (The statement of the Animal Welfare League of Fairfax County, Va., and the statement signed by three veterinarians, are as follows:)

THE ANIMAL WELFARE LEAGUE OF FAIRFAX COUNTY, VA., INC.,
FAIRFAX COUNTY, VA.

At its regular board meeting on March 3, 1966, the Animal Welfare League of Fairfax County, Va., Inc., by unanimous vote went on record as supporting the resolution of the Virginia Federation of Humane Societies in favor of a bill to stop the theft and mistreatment of animals for sale to laboratories for research and experimental purposes. We also feel that the housing and care of research animals in laboratories should be regulated by uniform standards established by the U.S. Department of Agriculture.

We wish to be put on record as favoring in principal, bills which would accomplish the following:

1. License animal dealers.
2. Set humane standards for care of all species of animals on dealers' premises and in laboratories.
3. Remove Federal funds from laboratories if they fail to comply.
4. Provide for revocation of dealers' licenses if they are found guilty of cruelty or theft.

SCOTT W. MAHONEY,
President.

We are veterinarians engaged in the practice of small animal medicine in the northern Virginia area. As veterinarians, we devote our time and skills to the eradication of animal diseases and the promotion of animal welfare.

We believe that the appalling conditions that publicity has shown to exist in dog and cat collection stations should be corrected by Federal legislation. We also believe that all animals should be included in such legislation including, but not limited to rabbits and monkeys.

We further believe that uniform standards should be established by the U.S. Department of Agriculture for the housing, feeding, watering, and care of all species of research animals in laboratories receiving Federal funds.

Therefore, we favor in principal bills which would accomplish the following:

1. License animal dealers.
2. Set humane standards for care of all species of animals on dealers' premises and in laboratories.
3. Remove Federal funds from laboratories if they fail to comply.
4. Provide for revocation of dealers' licenses if they are found guilty of cruelty or theft.

GARY HARMEL, D.V.M.
DAVID W. FRANCIS, D.V.M.
H. CARLTON NEWMAN, D.V.M.

Mr. POAGE. We will now hear from Dr. Sussman, who will be followed by Mrs. Dice. We will be glad to hear from you now.

STATEMENT OF DR. OSCAR SUSSMAN, CHIEF, BUREAU OF VETERINARY PUBLIC HEALTH, NEW JERSEY STATE DEPARTMENT OF HEALTH; PRESIDENT, ASSOCIATION OF PUBLIC HEALTH VETERINARIANS

Dr. SUSSMAN. Mr. Chairman and members of the committee, I have a doctorate of veterinary medicine and a master in public health from Yale University School of Medicine and an LL.B. from Seaton

Hall. I mention these things to indicate that my appearance here is not just a casual one. I have devoted my entire life to the humane care of animals, and I resent highly the efforts of other people to categorically castigate any research work without knowing him personally and to indicate that he is, in fact, a cruel man.

With regard to dognaping and catnaping, I am against that reprehensible activity, as would be any right-thinking American. I happen to be, in the State of New Jersey, in charge of an authorizing agency which authorizes research in institutions. We have, as you are aware, a certain measure of State rights. I believe, and my associates believe, that one of the most effective ways to eliminate dognaping from the United States would be to make available to research institutions those animals which are now uselessly destroyed in dog pounds throughout the Nation.

Withholding unclaimed pound animals from research and uselessly destroying them make it necessary for research institutions to look elsewhere for animals for study purposes. The price to be paid for such animals must inevitably go up and this makes it profitable for a dognaper to snatch a pet from the streets to sell it to an institution which does not know from whence it came. This is similar to what happened during the days of prohibition. And prohibition never did work. Releasing pound animals for research after a suitable waiting period, which provides many such animals to research institutions and would reduce the market of dognapers. And that of catnaping. Humane workers all over the United States who oppose the use of pound animals for legitimate medical research purposes are, in effect, guilty of fostering the very thing that this committee is trying to eliminate—they are causing the price of animals to go up and allowing these unscrupulously filthy-minded individuals to make money from the sad situation that they put these animals in, and I am against this. But it does not necessarily have to be acted upon by legislation. It can, within each one of the States and municipalities, be acted upon by the individual humane society if they would really offer for human medical research purposes those animals they now uselessly destroy.

Even though dogs and cats are needed in medical research today, a survey of 170 municipalities in New Jersey revealed that in 1964, 23,144 dogs were picked up as strays.

Of this number, 16,194 were uselessly destroyed. Of the 14,702 cats picked up as strays, 13,332 were uselessly destroyed. These figures are impressive. They show that there would not be the need nor the demand for one single dognaper to steal one single dog in order to sell it at any price, if any of these uselessly destroyed animals were made available as the result of legislation for legitimate medical research uses. We recommend that if this committee does come up with a bill that they seriously consider inserting within the bill the fact that it is the intent that any animals that are about to be uselessly killed or destroyed be permitted to travel in interstate commerce for any and all approved medical research purposes.

Mr. Chairman, I will insert in the record another paper and, if I may, I would just like to have the privilege of reading three points from it.

Mr. POAGE. Your time has expired.

Dr. SUSSMAN. I will just insert it then.

Mr. POAGE. You may do so.

(The document entitled "The Need for Animals in Medical Research" follows:)

THE NEED FOR ANIMALS IN MEDICAL RESEARCH

Oscar Sussman, D.V.M., M.P.H., LL.B., chief, Bureau of Veterinary Public Health, New Jersey State Department of Health—presented at meeting of the Humane Society of the United States, New Jersey Branch, Inc., October 19, 1963, Short Hills, N.J.

I am delighted to have the opportunity to speak before such a large assemblage of people who love animals. I say this in all sincerity, because I, myself, am a lover of animals, and, in fact, it is my life's work. I am a veterinarian by profession, and my work in the New Jersey Department of Health involves animals of all sorts.

This gives me an opportunity to bring to you some information about the use of animals for research, information which I hope will make it possible for us all to be of one mind about this subject.

A MYTH

It will clear the air a bit at the outset if we dispose of a certain myth. Then, we can proceed with clearer minds to a consideration of a few facts.

The myth is that people who use animals for biological analysis, teaching, research, and clinical diagnosis are vicious ogres to be avoided like the plague. The fact is that they are not. On the contrary, they are warmhearted, normal human beings, who, if anything, have a deep-down love and respect for animals equal to that of all of us here in this room. In most cases, their whole background instills a deep respect for life and a compassion based on understanding.

Who are these people? They are physicians, veterinarians, professors, laboratory technicians, and other trained workers. They are people who have completed formal training in their scientific fields. But, basically, they are people. Most of them come from good parents, have a sound education, a good religious life, and everything that makes for good motives and good faith. They laugh and weep, work and play, live and love, feel pain and joy just as other people do. They have children and friends, and many of them have pets which they love and care for. There is nothing in the background of these men and women that could possibly lead to the desire to cause needless suffering. So let us now consider that the myth is properly buried.

Now for some facts. Of the great majority of animals used for scientific medical research purposes, 95 percent or more are not subjected to any surgical procedure; that is, no vivisection. On those few occasions when surgery is required, the procedures are comparable to those pertaining to surgery on a human being. This means sterile conditions, anesthesia, and a respect for life and suffering.

In a recent information bulletin, we stated:

"The New Jersey State Department of Health advocates humane methods in handling animals in pounds or research institutions. The useless killing of animals in pounds when they could be used in a humane manner in research experiments, which will benefit both human and animal health, manifests in our opinion a false sense of human and humane values. The killing of unwanted, uncared for, undesired stray animals in pounds when such animals are urgently needed in medical research projects is not consistent with the best interests of the public health. This department favors the disposition of unclaimed animals from pounds to research institutions."

Unfortunately, one misconception arose as a result of this bulletin. That is, that the State department of health ordered pounds to turn over animals to research; actually, there is no order involved. It is only a statement of the department's position. In fact, and by law, the pounds may dispose of the animals as they choose. They may dispose of them for medical research, or as pets, or the animals may be killed.

The basic question before us today is this: Should animals, any animals, be used in medical research? Several questions are pertinent.

Vaccines—Will you or yours use any of them?

You were vaccinated with smallpox vaccine. Did you wish your child or grandchild to be so vaccinated? If your answer is, "Yes," then you do believe in the use of animals for medical research, for this vaccine was developed following finding of research scientists who first found that milker's nodules on the hands of milkmaids gave them protection against smallpox.

Polio vaccine was developed following intensive use of animals in innumerable tests required prior to release of the product for humans. It has, incidentally, lowered our polio case and death rates tremendously.

Polio decrease due to introduction of vaccine in 1955

	Number of paralytic cases	Percent decline from prevaccination period prior to 1955
1959	6,289	74
1960	2,265	89
1961	988	96
1962	762	97

NOTE.—1951-54: 24,220 cases in New Jersey.

Do you believe in preventing dogs and cats from getting sick?

Have any of you ever had a dog or cat vaccinated for distemper, hepatitis, leptospirosis, rabies or other preventable ailment? If yes, then you should know these vaccines were prepared by scientists and medical research workers who first tested them on experimental animals. If you don't believe in such research, then you must join those few who consider it humane to let an animal get sick and possibly die with a disease you could have helped prevent. I would consider such treatment of a pet as an act less than humane, or even worse, of cruelty.

We all advocate limiting the production of unwanted dogs and cats

Many of you have advocated spaying or removal of ovaries; the castration or removal of testicles in dogs or cats. Are you, however, aware that the veterinarian who performed this task, this delicate surgical procedure, had to use anesthetics previously tested on animals; second, that he had to know the anatomy, the blood circulation, the methods of suturing; further, that he had to know the action of and physiologic results of drugs in connection with these operations? In order to know these things, he had to have available experimental animals on which he or his associates could practice and experiment. Can he have such animals from your pounds, or can he have your own personal pets? It's true, isn't it, that you would never let a veterinarian use your pet to practice or experiment his surgical technique? Wouldn't you require him to use someone else's animal or some other animal? Probably, you would even prefer an animal about to be destroyed. If you denied him any animal, you are expecting him to do a competent job without the training to become competent.

Should blue babies be sentenced to death or life?

To determine whether he can cure a defect in a child's heart, a surgeon needs to do a series of operations on a series of dogs. Would any among you deny this child its chance to live? Would you deny him the animals needed for this research? Can the surgeon get dogs from your cages before you put them to death, uselessly? If you can say, "No," do you mean it? If you can say, "Yes," do you mean it? In either event, how should he proceed to obtain the necessary experimental animals?

Should veterinarians be available to treat dogs and cats surgically?

Shall veterinary colleges have available a supply of dogs and cats in order to facilitate instruction of students? Shall veterinarians be enabled to learn how to set fractures with newer pinning techniques, or to remove sections of small intestines and resuture so that an animal can live? I'm sure you would not deny the 21,000 veterinarians of this country or the approximately 400 in this State the opportunity to learn newer techniques. Where shall these animals be obtained?

How many animals can the surgeon practice on before he operates on your heart or your veterinarian operates on your dog?

A surgeon (M.D.) in a hospital recently told me that he has the task of training three new surgeons in a delicate open-heart surgical technique. He said he would not feel he could let them proceed on a human being without first having successfully performed this operation on six animals that recovered and were healthy 2 to 6 months after the surgery. Is six too many? Too few? How many is correct? Should you judge or should he? If you or a loved one of yours were in need of such surgery, would you feel competent to have ruled on the number of times a surgeon could have practiced on an experimental animal?

Shall a Presidential appointee determine how many animals your surgeon may practice on before cutting into you?

A child's eyes have need of delicate surgical excision of a portion of them in order to be able to see the rest of its life. Shall you, or shall an appointee of the President of United States, a Commissioner of Laboratory Animal Control, make such a determination? You say the Commissioner is the one who is properly qualified? You mean, perhaps, a person with the following qualifications, and I now quote from H.R. 3556 of the 87th Congress:

"To be eligible for appointment as Commissioner, a candidate must have been admitted to practice law in the Supreme Court of the United States. No person who is or has ever been connected with any laboratory shall be eligible for appointment as Commissioner."

I certainly do not believe the average person would ask his physician to defend him in a criminal lawsuit where he might be convicted and condemned to death. On the other hand, I am equally certain the average citizen abhors the thought of a lawyer determining such things as: how many experimental animals are needed to develop surgical and diagnostic skills prior to performing surgery on children; or giving proper medical care to pets. Yet, H.R. 3556 and similar bills are now supported by many humane societies. Perhaps, those societies do not know the full import to them and their loved ones, or to their pets, nor do they realize how cruel the results can be in total human and animal suffering in the long run.

Should animals needed for research and medical teaching be stolen from their owners?

Shall such animals as are needed be stolen from their owners? Certainly not. We would all scream at this thought; we are all against dog- and cat-napping. By "we," I mean research workers, public health persons, and other humane-minded workers looking to the betterment of man and animals.

There have been instances of pet dogs being stolen by "dognappers;" investigations have been fruitless in most instances. Prohibition of the use of impounded animals about to be destroyed increases the pressure of monetary gain in the stealing of pet animals. It increases the value and cost of each animal in medical research use sufficiently to make it a lucrative, illegal, criminal practice. Just as the elimination of prohibition of alcoholic beverages has tended to decrease rum running, the proper use of impounded animals will decrease kidnapping of pet dogs and cats. In effect, the position of some humane societies makes them guilty of being party to some of the reasons for the practice of "dog- and cat-napping." No reputable medical research institution will knowingly buy a stolen animal or would continue to buy from any dealer if and when they could obtain animals from pounds legitimately prior to their useless slaughter in pound, shelter, and humane society gas, decompression, or electrocution boxes.

Are all animals pets? When is an animal not a pet?

A pet is an animal that has been harbored, nurtured, fondled and loved; it is not normally an animal that will be killed, used for food, clothing, or to adorn the necks of women such as are mink and fox.

If a pet animal is lost or strayed, and eventually ends up in a humane society or a shelter or a pound, what God-given right does any human have to kill it uselessly?

Do humane animal shelters kill pets?

If a pet is lost and is turned in to a humane shelter, and eventually the shelter determines it cannot get a home for the animal, by what right and how do the managers of shelters justify the killing in chambers of death some poor little child's lost pet? Is it morally right for an employee of a humane shelter

to charge his death chamber with pet animals and kill them uselessly, ignobly, rather than to have such animals eventually destroyed but be of benefit to mankind and to the animal kingdom in the process by being used in a medical research project. I think no animal, pet or nonpet, should be uselessly destroyed.

Shall animals be bred for medical training and research use?

Where, for reasons of the research involved, a genetically pure strain of animals would more effectively validate the results, then all agree such animals should be bred instead of using animals condemned to death. There are numerous such colonies throughout the United States at this very time, including dogs, cats, mice, rats, hamsters, and other laboratory animals. Some of you suggest that medical scientists breed their own animals even when any animal would do for the research. Raise animals to know the kindness of their handlers and then be utilized in the necessary research projects. I feel, however, an animal raised in a lab is as much a pet as one raised in a home, or it so considers itself. To me, therefore, such thoughts are repugnant, inhumane, and cruel. It is inconsistent and inhumane for "humane societies" to throw thousands of living animals into gas chambers and decompression tanks; killing these poor animals uselessly and then to suggest the breeding of others to also eventually die following the necessary experimental procedures. I cannot believe that anyone who is really humane-minded can feel it is right to have two animals die where one would suffice.

I must read to you in this connection two short letters published in *Popular Dogs*, August 1962, a magazine interested in animal welfare, where on page 144, in letters to the editor, the following appeared:

"A reader wrote us:

"I took my old dog there. I waited, as I wanted to make sure she was dead, to take her body home for burial as you advised us. Suddenly I heard horrible screaming—they told me later it didn't last a full minute. I rushed out but they wouldn't stop the engine. My daughter became hysterical. When they pulled (and shoveled) out the animals, some of the kittens and puppies had been literally torn apart by the big ones. I am convinced the hot fumes suffocate the animals. Please advise your readers never to have their loved pets destroyed by carbon monoxide—this is a horrible death."

"Another reader wrote us:

"We were told that the high-altitude chamber is the most humane way of killing an unwanted litter of puppies. We have our doubts. We finally were told we could witness the chamber in operation. The evening's collection of animals gradually filled it to capacity—full—everything was 'dumped' in, kittens and our baby puppies. I was told that fearful fights take place in this arrangement. The noise was deafening. When the animals were wheeled out, they were flung into refrigeration lockers. We were told to come back for the puppies in the morning. We did. Those little bodies were horribly swollen, tongues hanging out, fiery red. Now we understand that the tiny kittens and puppies were apparently dead, but were actually only unconscious when they were hurled into the refrigerator unit. In a great city like this is this the only method of destroying small animals?"

"EDITOR'S NOTE: We have been advised that there is a small high-altitude euthanair for very young animals. Some shelters do not have one—or the men do not bother to separate the young animals from the old."

Does man have the right to experiment on animals?

Before you say, "Yes." or "No," let me tell you that in 1957 an Advisory Council for the Promotion of Medical Research of the Massachusetts Society for Medical Research was formed. This council consisted of the following membership, covering a wide range of religious leaders with strong moral convictions.

CHAIRMAN

The Most Reverend Richard J. Cushing, D.D., LL.D., archbishop of Boston (now cardinal).

COCHAIRMEN

Rev. Albert Bucknell Coe, D.D., president, Massachusetts Council of Churches, president, Massachusetts Congregation Conference.

The Most Reverend James L. Connolly, D.D., bishop of Fall River.

Rev. Frederick May Eliot, D.D., president, American Unitarian Association.

Rev. Walter D. Knight, synod executive, Presbyterian Synod of Massachusetts.

The Reverend Bishop John Wesley Lord, D.D., Methodist bishop.

Col. Ralph T. Miller, commanding the New England Forces of the Salvation Army.

Rabbi Zev K. Nelson, Ph. D., president, Rabbinical Association of Greater Boston.

Rt. Rev. Msgr. Timothy P. O'Connell, D.D., officialis, Bishop's House, Worcester.

Rt. Rev. Bishop Anson F. Stokes, Jr., D.D., Diocese of Massachusetts.

Rev. Edwin H. Tuller, executive secretary, Massachusetts Baptist Convention.

The Most Reverend Christopher Weldwin, D.D., bishop of Springfield.

This group supported and obtained passage of a bill in Massachusetts which allows medical schools and other accredited research institutions to have some of the stray, unwanted animals previously uselessly destroyed in pounds.

As an example of the thinking of this varied group of religious leaders, I feel the position of the chairman, Cardinal Cushing (then Bishop Cushing) is most enlightening. I quote from the official organ of the archdiocese of Boston, "The Pilot":

"It is the teaching of Catholic theology that the ultimate purpose of animal life is to satisfy the needs of man. Animals do not possess rights, certainly not in the strictest sense of the word. Only men, endowed with spiritual and immortal souls and destined to enjoy the eternal happiness of Heaven, have God-given rights which they are bound to respect in one another. Any use of animals which serves a legitimate purpose and which does not involve wanton or needless inflicting of suffering is consistent with both the subordination of animal nature to man, and the subordination of human nature to God.

"In accordance with these principles Catholic moral theology regards vivisection as both allowable and necessary. No objection to vivisection can properly be raised on the ground that this practice is essentially immoral."

Once again, from the same issue of "The Pilot" Msgr. A. C. Dalton, P.A., LL. D., on this point of moral right said:

"It is stated clearly and unequivocally in Genesis 1:26 that God gave man dominion over animals. They were and are to serve man. This destiny they have fulfilled magnificently—furnishing food, clothing, shelter, companionship, labor, and sport. In the field of research, the contributions of the animals to the needs of mankind deserve a tremendous outpouring of the human heart in grateful appreciation. By these contributions early death has been foiled, suffering greatly lessened, life prolonged, disease conquered, controlled, or at least better understood with well-founded hope for the future."

With regard to real cruelty, he further went on to say:

"One of the most difficult things to understand is the contention of those opposed to this measure that experimentation is not humane, but on the contrary cruel. This in spite of the fact that the most precious gift possessed by any animal is life itself. To rob him of life needlessly and at the same time to end his life by a process which involves great suffering, as related by those who have watched these 'mercy deaths' is the most cruel act of all.

"Difficult indeed it is to understand the sincerity of those opposed to humane animal experimentation, when it is understood that their opposition does not extend to their own indulgence in eating animal flesh; in wearing animal skins and furs; in using animal products in households; in building; in fact, in about every phase of life except as related to research. If there be thinking here, it is not of the head."

This same author states:

"* * * Today no Catholic theologian is on the side of those who would deny the availability of stray, unwanted, and unclaimed animals who would otherwise be put to death to research physicians, because it has been sufficiently demonstrated that humane conditions govern approved animal experimentation. In fact, it could be readily demonstrated that any Catholic theologian who held the views of those people who would deny the use of animals for research, would be liable to condemnation as a heretic * * *."

I heartily subscribe to these statements and ask you to join me.

Conclusion

In conclusion, I should like to bring to you my main thoughts:

1. Whether used for testing, teaching, or research, and whether or not surgical procedures are involved, the final demise of a laboratory animal is usually painless, and is certainly free of the horror that must attend the gas, decompression, or electrocution chambers as previously described by horrified pet owners.

2. The wasteful killing of unwanted animals does not deserve to masquerade under the name "humane" and I suggest we consider the ultimate

good of man and animals prior to continuing the useless slaughter of hundreds of thousands of unwanted animals.

3. Scientific use of animals by trained personnel in adequately equipped facilities for the benefit of man and animals truly deserves to be called humane.

I feel we should all join together to obtain better care of animals, whether in kennel, on the farm, in a laboratory, in the pound, or at home.

PRINCIPLES OF LABORATORY ANIMAL CARE

1. All animals used for experimental purposes must be lawfully acquired and their retention shall be in strict compliance with Federal, State, and local laws and regulations.

2. Research projects involving live animals must be performed by, or under the immediate supervision of, a qualified biological scientist.

3. The housing, care, and feeding of all experimental animals shall be supervised by a properly qualified veterinarian or other biological scientist competent in such matters.

4. All laboratory animals must receive every consideration for their comfort; they must be kindly treated, properly fed, and their surroundings kept in a sanitary condition.

5. Rooms in which animals are to be housed shall be provided with a floor which can be kept clean, and the room shall be lighted and ventilated. The temperature shall be held within reasonable limits. Cages should be of sufficient size to permit the animals used to stand or lie in a normal position. It is generally conceded that animals maintained for long periods are in better physiological condition if they exercise regularly. Species housed out of doors should be given adequate protection from direct sunlight or inclement weather.

6. The food and water supplied to all experimental animals, subject to the nature of the research, must be palatable, and of sufficient quantity and proper quality to maintain the animals in good health.

7. In any operation likely to cause greater discomfort than the attending anesthetization, the animal shall first be rendered incapable of perceiving pain and be maintained in that condition until the operation is ended.

(a) Whenever anesthetization would defeat the purpose of the experiment, the experiment must be approved by the head of the department and directly supervised by the head of the laboratory.

(b) If an acute study does not require survival, the animal must be killed in a humane manner at the conclusion of the experiment.

(c) If the nature of the study is such as to require survival of the animal, then acceptable techniques must be followed throughout the operation.

8. The postoperation care of animals must be such as to minimize discomfort during convalescence in accordance with acceptable hospital practice.

9. The care and housing of individual species should be in accordance with the recommendations of the Institute of Laboratory Animal Resources (NAS-NRC) as these are issued or revised.

These principles were developed through the cooperative committee on laboratory animal care of the National Society for Medical Research (with representatives from the American Psychological Association, American Medical Association, American Society for the Prevention of Cruelty to Animals, and the Federation of American Societies for Experimental Biology) and amended by the American Board of Laboratory Medicine (American Veterinary Medical Association), the Animal Care Panel, and the Institute of Laboratory Animal Resources of the National Academy of Sciences—National Research Council.

Mr. POAGE. The next witness is Mrs. Dorothy Dyce, to be followed by Mr. George W. Jones. We will be glad to hear from you now, Mrs. Dyce.

STATEMENT OF DOROTHY DYCE, ANIMAL WELFARE INSTITUTE, NEW YORK, N. Y.

Mrs. DYCE. Mr. Chairman and members of the committee, when I visited the animal quarters at Presbyterian-St. Luke's Hospital in Chi-

cago I saw a group of dogs which had just been received from a dealer. The dogs (including a mother dog with several small puppies) were housed in small metal cages. All of the dogs in the room were sick—the majority were dirty, frightened and thin. Signs on the cages confirmed the fact that all of these dogs had distemper.

Two days later I visited the animal quarters at Northwestern University School of Medicine in Chicago and noticed that their newly arrived dogs were exceedingly thin and frightened. One large black dog, squeezed into a very small cage, was still wearing a heavy rope around his neck.

I discovered that both of these institutions buy dogs from the same dealer—William Hargrove of Cicero, Ill. The following day I went to Cicero hoping to visit the dog farm where Mr. Hargrove keeps his animals before delivering them to research laboratories. Mr. Hargrove was not at home but on talking with Mrs. Hargrove I was told that her husband maintains two dog farms—one in southern Illinois and one in Tennessee. When I asked if I might visit the dog farms I was told that I would have to see Mr. Hargrove. I made several attempts to contact him during the next 2 days but I was never able to reach him by telephone.

A few months later a dog dealer told me that if I wanted to see something awful that I should visit the Hargrove dog farm in Tennessee. In October of last year I did just that.

I found approximately 125 dogs housed in ramshackle wooden buildings. None of the dogs had any food or water. (Some of the pans contained "mud" which could not be mistaken for drinking water.) The dirt floors of the pen which were covered with excrement also contained skulls and bones of dead animals. Some of the dogs were so sick they could not stand on their feet; others (as confirmed by Dr. Ingram of the Gibson County Health Department) had distemper. A dead dog, partly decomposed, was in the pen with the live animals.

Would the committee like to look at the pictures that were taken at the dog farms in the South and Southwest and, also, there are pictures in there of the cages which, certainly, show the cruelty to which the dogs are subjected on their way to institutions.

The following photographs show the ramshackle wooden buildings, the dead dog, the interior of the filthy pens, and some of the crates which are obviously used for shipping animals.

I fed 75 pounds of dog food to the dogs. As I was putting the food in the pens the dogs were fighting each other to see who would get to it first. I have never seen such hungry animals. Some dogs in the weeds were too sick or too weak to get up and I could not get to them to feed them individually. I found a garden house and started filling the rusty pans with water. The dogs were so thirsty they were knocking each other down trying to drink the water out of the hose.

The ex-mayor of Medina reported that at one time the Hargroves went away for 2 weeks and left the animals with no one in attendance. When he went to the Hargrove dog farm he saw live dogs eating the dead ones because they had nothing else to eat.

In June of 1959 a pack of about 50 unvaccinated dogs was discovered penned up together in Madison County, Tenn. The dogs, bunched to-

gether, had no apparent source of water or food. On further investigation, it was discovered that the dogs were owned by Roy Hargrove of Medina, Tenn. (Newspaper clipping dated June 9, 1959, will be submitted to the committee.)

The State of Tennessee has an antirabies law which requires that all dogs be vaccinated and on numerous occasions local health department officials urged Mr. Hargrove to comply with the law. When he refused, the State Health Department talked with Dr. Nathan Brewer (veterinarian in charge of animals at the University of Chicago) about this problem and corresponded with Dr. William C. Dolowy, the veterinarian in charge of animals at the University of Illinois. (Copies of this correspondence will be submitted to the committee.) Dr. Dolowy was asked if he would cooperate with the Tennessee Health Department by requiring Mr. Hargrove to surrender a rabies certificate for each dog which he delivered to the University of Illinois College of Medicine. Dr. Dolowy refused, giving as the first of his three reasons: "It increases the cost of the dog to us."

I have not visited the University of Illinois because they have refused me admittance. It has been described, however, by the National Society for Medical Research as "One of America's most modern animal research laboratories and accords some 10,000 animals almost unequalled care." It was planned by Dr. Dolowy.

I have seen pictures of 1 of the 14 dog rooms at the university. Each of the rooms houses 24 dogs—a total of 336 dogs. The dogs are housed in double-deck, grid-bottom cages in the basement of the research building. If this is the most modern animal housing we have in America, then we should hang our heads in shame. The University of Illinois received \$2,052,091 from the National Institutes of Health (and this was matched by State grants) to build these animal quarters.

The Hargroves, arrested for cruelty to animals, are under a grand jury indictment.

In spite of the overwhelming evidence of animal abuse among dealers, laboratories still continue to buy animals from them. Mr. Hargrove was at a "trade day" in Ripley, Miss., last month and bought a truckload of dogs. The dogs were taken to his farm in Medina, Tenn., where they remained in the truck all night until they were transported elsewhere the following morning.

Each month thousands of dogs are traded, bought, or sold at "trade days" in Arizona, Georgia, Kansas, Kentucky, Mississippi, Missouri, Oklahoma, Ohio, Tennessee, Texas, and other States. Photographs from trade days and dog dealers in different parts of the country will be submitted to the committee.

As I mentioned earlier, Northwestern University School of Medicine and Presbyterian-St. Luke's Hospital are among those who buy dogs from the Hargroves. Washington University in St. Louis Mo., is also a Hargrove patron, and the treatment of animals at this institution follows the same callous pattern.

At Northwestern University I have personally seen large dogs—collies, German shepherds, and large hunting dogs—confined in cages which measure only 30 by 30 by 26 inches in height. One of the dogs I noticed had been imprisoned in this manner for 3½ years—another for 2 years and 4 months. Dogs on long-term experiments are some-

times kept as long as 8 or 9 years. I don't know how long the other dogs (approximately 150 of them in cages stacked 3 high) had been there. I was only able to read the dates on the two cages which I've mentioned. At this same medical school I saw poultry in cages which measure only 10½ inches in height. The fowl were taller than the cages—their backs were touching the top of the cages, their heads were bent over because it was impossible to raise them.

An employee at Presbyterian-St. Luke's Hospital told me that when she came there to work, the dog cages were encrusted with dirt and crawling with vermin. Now they may be clean, but they are still inadequate in size. No exercise areas is available at this institution either and dogs remain in these cages from the time they are received until they are no longer needed.

The rabbits at this institution are jammed into antiquated cages which measure 12 by 18 by 10 inches. The addition of a feed bowl and a water bowl, each approximately 5 inches in diameter, cut the length of the cage to a mere 13 inches. The rabbits are unable to move in any direction. These same rabbit cages were in this hospital in 1929 and I don't know how many years they were there before that.

At Washington University in St. Louis I saw German shepherd puppies, approximately 4 months of age, housed in cages which must have been designed to hold nothing larger than a rabbit. As I entered the dark basement room, the puppies tried to stand up to greet me. In doing so, they bumped the tops of their heads on the top of the small cages.

At all of these institutions the dogs remain in their cages while the cages are hosed down by the caretaker. While I was in the Surgery Department of Washington University I watched the caretaker as he hosed the cages with the dogs in them. The room was filled with steam. I watched as the dogs picked up their feet in an effort to dodge the hot spray. Others, too sick to move, or too tired to care any more, just sat in quite resignation.

I would like to have you look at these pictures, if you will. I have pictures of dogs being hosed while in their cages, and you can see that the dogs, actually, do get wet. It is impossible to do it without wetting the animals.

Such inadequate housing is not restricted to Chicago and St. Louis, Charles Hazzard, who raises and boards dog for medical research, was arrested last November when investigating agents found between 85 and 100 dogs living under "filthy and deplorable conditions." A dead dog was found in a chicken coop with live dogs. A large female dog and puppies were found in a turkey pen. Three of the puppies had their forelegs encased in foul smelling bandages which were filthy with dirt. Dr. Hopkins, a veterinarian with the women's SPCA in Philadelphia, testified that when the three puppies were brought to him for examination he found a disagreeable odor emanating from the bandages. When he removed them from the legs of the puppies he found several layers of flesh rotting away.

Dr. Mary K. Baxter, a veterinarian in the University of Pennsylvania veterinary research department, testified that she is working on bone graft experiments and that she had obtained dogs from Hazard

for research purposes. She said that she had operated on the three puppies and testified that she stopped almost daily at the Hazzard kennels and "found nothing objectionable to her."

Dr. Schneider of Hahnemann Medical College and the Einstein Medical Center, and head of the Philadelphia Animal Care Panel Committee, testified that he found nothing wrong with the ghastly conditions at the Hazzard dog farm. He praised Hazzard's "modern open-range" method of keeping dogs and added that "he had inspected the kennels that week and saw no cruelty or neglect whatsoever."

Despite Dr. Schneider's testimony on behalf of the dog farmowner, Mr. Hazzard was found guilty and fined \$100. Mr. Hazzard was arrested again the following week on similar charges. On November 27th Mr. Hazzard's lawyer asked that the second cruelty charge be dismissed because Pennsylvania law forbids the issuance of a search and seizure warrant for any research project. Mr. Hazzard claims immunity from further prosecution for cruelty to animals because his farm is actually a research project.

On an earlier visit to Philadelphia I decided to visit the Pratt Laboratories. The Pratt Laboratories are listed as suppliers of laboratory cats in the booklet published by the Institute of Laboratory Animal Resources, National Academy of Sciences, National Research Council. When I arrived at the address listed in the ILAR book I thought surely I must be at the wrong place. I found myself at an old, small two-story building which looked abandoned. There is no name on the building, but a letter sticking out of the mail box confirmed the fact that mail addressed to Pratt Laboratories was being delivered here. I opened the outer door and saw the name "Dr. Pratt" inscribed on a filthy glass door. Dr. Pratt appeared and after identifying myself I asked him if I might see his laboratory cats. He said he no longer keeps dogs or cats in the house because the neighbors had complained. He said that when he gets an order for dogs or cats he simply calls another dealer and has them delivered directly to the laboratories. I asked him if he had ever visited the other dealer's farm to see if the animals were properly cared for and he said "No."

Dr. Pratt explained that he has a Ph.D. in pharmacology and taught at Hahnemann Medical College for 15 years. He said he was one of the two instructors engaged to teach 100 medical students.

He said he now raises rats and mice in the house and also maintains a breeding farm in New Jersey. He showed me the mouse breeding room on the second floor. It was hard to see the mice because everything was covered with vast quantities of dust. I have never seen so much dust in one place in my life. Some of the mice were in metal cages; the majority, however, were in old wooden cages which were literally falling apart. We then went downstairs to see the albino rats which are raised for scientific research. The room was incredibly dirty, cobwebs hung from the ceiling, the room was covered with dust, and the floor was in dire need of repair. One had to look carefully before taking a step. Occasionally rats will get out of the dilapidated cages and a scrawny cat who lives there catches them when they do. Broken cages were strewn casually on the floor where they had been discarded.

Pepsi-Cola bottles are used as water bottles for the rats. This was my first visit to an animal dealer listed in the Institute for Laboratory Animal Resources book and I left there wondering what kind of a

program the National Research Council had which would permit them to list a supplier of laboratory animals bred and housed in such a manner.

No less shocking, although in a different way, were endless rows of cramped dog cages at the University of Minnesota. The photographs herewith submitted are graphic evidence of conditions there.

The first photograph shows experimental dogs housed in small cages stacked three high in a dark, windowless basement. The 11 photographs which follow show the manner in which large-sized dogs are squeezed into small, mesh-bottom cages.

Note the back of the big dog in photograph No. 9 at the top of the cage. If you will look closely you will see that there are five incisions on this dog's side and back. The incision on his back is in direct contact with the metal top of his cage because it is so low. His head is hanging. He could not hold it up for there is no room to do so.

In conclusion, I wish to read a letter from the health commissioner of the State of Michigan, Dr. Albert Heustis, who was unable to be here today.² Dr. Heustis set forth the following requirements for Wayne State University Medical School when he put it on probation for 30 days in 1964 following a serious incident of neglect of post-operative dogs.

The requirements are as follows:

1. The improvement of the dog recovery quarters.
2. The provision of adequate medicines to provide for humane care both in the postsurgical procedures and otherwise.
3. The availability of a person properly trained and instructed in the care of the sick animals, who will make rounds during the hours that scientific personnel are not on duty, and who will administer first aid and call a responsible physician to aid any animals in pain or difficulty.
4. The assurance of the availability of a responsible doctor at all times.
5. The establishment of a procedure for the better identification of surgical cases, including a record of the physician responsible for medications, the anesthesia used, and other pertinent information.
6. The replacement of the smaller cages (found in a few instances) with those of adequate size.
7. The provision of more adequate exercise for postoperative dogs.
8. The movement of dogs on long-term experiments to outside boarding kennels with outdoor runways so that the animals can live a more normal life.

I agree with Dr. Heustis and request the committee to give a favorable report to H.R. 12488 or a bill embodying all its major provisions and requiring humane standards of care and housing for animals in laboratories, in transit, and in the premises of suppliers.

I have letters from three medical doctors in Washington, D.C., and a statement submitted by Dr. William B. Walsh. I would like to submit these letters for the record.

Mr. POAGE. They may be made a part of the record at this point, without objection.

² See p. 139 for the complete letter, with enclosures, from Dr. Albert Heustis.

(The letter dated March 7, 1966, from the Washington Clinic, the letter dated March 5, from Dr. John W. Walsh, and the letter dated March 7, 1966, from Dr. William B. Walsh, follow:)

WASHINGTON CLINIC,
Washington, D.C., March 7, 1966.

HON. WILLIAM POAGE,
House Office Building, Washington, D.C.

DEAR CONGRESSMAN POAGE: The provisions of H.R. 12488 are, in my opinion, sound and fair.

To better insure humane care and handling of all animals used in investigative laboratory work, I endorse this bill.

Respectfully,

PAUL C. KIERNAN, M.D.

WASHINGTON, D.C., March 5, 1966.

HON. WILLIAM R. POAGE,
House of Representatives, Washington, D.C.

DEAR SIR: As a practicing physician and surgeon in the District of Columbia for the past 20 years, I cannot understand the existence of any valid objections to the passage of H.R. 12488. I have spent a great deal of my time during these same 20 years teaching my specialty of obstetrics and gynecology to medical students and residents in training. I would like to mention a few points as they come to mind.

Why should institutions in which vertebrate animal experimentation is carried out object to licensure? Physicians are licensed, hospitals are licensed and always open to inspection. Without inspection, high standards of hospital practice might not be maintained.

The opponents of humane treatment for animals bills constantly cry out the tired label of "antivivisectionist." This is an old familiar scare technique to which legislators should pay no heed. There is nothing of antivivisectionist nature in the Poage bill.

Animal experimentation must go on in any orderly society which seeks to advance its knowledge in medical and surgical technology. However, how valid are the reactions of frightened, abused, ill-fed, and poorly housed animals? How "normal" can animals be when subjected to abnormal, cramped, and otherwise undesirable living conditions?

If the antagonists of humane animal care legislation have nothing to hide why is it that they fight this type of legislation? Good research and animal experimentation are not incompatible with humane care of the laboratory animal. If I thought so, I could not as a surgeon, wholeheartedly endorse H.R. 12488, the Poage bill.

Sincerely yours,

JOHN W. WALSH, M.D.

THE PEOPLE-TO-PEOPLE HEALTH FOUNDATION, INC.,
Washington, D.C., March 7, 1966.

HON. W. R. POAGE,
Chairman, Subcommittee on Livestock and Feed Grains, Committee on Agriculture, House of Representatives, Washington, D.C.

MY DEAR CONGRESSMAN POAGE: It is indeed a privilege for me to strongly endorse the provisions of H.R. 12488 which would insure humane treatment of laboratory animals. The provisions of the bill provide for the licensing of the handlers of the animals and the inspection of the animal shelters used for the housing of laboratory animals.

No one should be misled by the accusation that all who support this bill are antivivisectionists, for nothing could be further from the truth. I, as a physician, and many of my colleagues have been appalled by the recent disclosures of the abuses of laboratory animals. It is not only inhumane but also unscientific to utilize animals that are underfed and are not in the best of physical condition, particularly in the fields of surgical experimentation, shock, and other studies.

Supporters of this bill are well aware of the continuing need for the use of laboratory animals which has as its purpose the eventual saving of human life. It is inconceivable to me that any medical school or medical association could in good conscience justify its opposition to the provisions of this bill. Certainly

men dedicating their lives to the savings or prolongation of their fellow man cannot hold in disregard any living thing.

I would urge, therefore, that serious consideration be given to the passage of this bill so that those animals who do give their lives for the progress of humanity be guaranteed good and humane treatment during this period. Only the licensing of animal handlers and the stringent enforcement of laws which will insure proper housing, feeding, and transportation of those animals will accomplish the aims outlined above.

Sincerely yours,

WILLIAM B. WALSH, M.D.

Mr. POAGE. Our next witness is Mr. George W. Jones, to be followed by Sloan. We will be glad to hear from you now, Mr. Jones.

STATEMENT OF GEORGE W. JONES, ASSISTANT DIRECTOR, MASSACHUSETTS SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, BOSTON, MASS.

Mr. JONES. Mr. Chairman and members of the subcommittee, I am George W. Jones, assistant director of the Massachusetts Society for the Prevention of Cruelty to Animals located in Boston. I appear today as a representative of this society, and with me is Mr. David S. Claffin, executive vice president of the society. We appreciate this opportunity to appear before the subcommittee and express our views on this most important subject. The presentation will be brief since the majority of points have been adequately covered in earlier hearings in September 1965 and also yesterday and this morning.

The problem of illegal animal procurement is not only creating interest here in Washington but also throughout the country. As Dr. Buttrick has already stated, on Tuesday of last week, I appeared before the Joint Legal Affairs Committee of the Massachusetts Legislature regarding a bill for increasing the penalty for animal theft in Massachusetts. If this bill is passed, perhaps some cases of animal theft will be eliminated; however, this is not the answer to the entire problem. The problem is great and cannot be adequately covered by the acts of one State legislature.

Animal procurement and their proper care is a Federal responsibility since a great majority of the research facilities receive Federal grants and other types of assistance. According to Representative Joseph Y. Resnick, over one and three-quarter million dogs and one-half million cats were used last year in hospitals and research laboratories receiving Federal money. From \$30 to \$50 million was spent by these institutions for these animals. I think it would be safe to say that this amount of Federal aid and the amount of animals needed will certainly increase in the years to come which would indicate a worsening of the present situation.

Of the many bills before this subcommittee, we feel that H.R. 12488, introduced by Representative Poage, to be one of the better bills. This bill covers not only dogs and cats but all vertebrates. This bill would license research facilities, dealers, and also the middlemen handling animals. It also would authorize the Secretary of Agriculture to issue humane standards regarding handling, transporting, and promoting animal health, well-being, and safety for dealers and research facilities. All animals are identified. Records of transactions are kept,

and a 5-day holding period is included, plus a sufficient penalty should the law be violated.

We highly endorse the broad coverage of this bill. However, we wish to submit to the subcommittee the following suggestions for strengthening this legislation: The inclusion of a section which would prohibit the sale of all animals at auction and also prohibit the sale of animals by weight. We would like to suggest to the subcommittee the inclusion of a section which would give the Secretary of Agriculture more authority of inspection by qualified individuals of dealers' records and facilities, and also inspection of researchers' records and facilities.

In conclusion, Mr. Chairman, we feel that this subcommittee has the opportunity to put an end to the criminal but highly profitable trade in pets and other animals. You also have the opportunity to see that millions of animals will be humanely transported and handled. It would appear that there is but one choice.

Mr. POAGE. Thank you very much, Mr. Jones.

The next witness is Mr. H. J. Sloan, to be followed by Dr. Sumner Wood, Jr.

At this point, without objection, we will insert in the record, a statement from Congressman Nelsen by request of Mrs. May.

(The prepared statement of Hon. Ancher Nelsen follows:)

STATEMENT OF HON. ANCHER NELSEN, A REPRESENTATIVE IN CONGRESS FROM
THE STATE OF MINNESOTA

Mr. Chairman, as repulsive as it is to most of us, the organized theft of family pets is a growing problem around the country. Cat- and dog-nappers have been having a field day stealing much-loved household pets and selling them off at the pound for any use to which they may be put.

Often, family pets taken in this manner have been subjected to unbelievable cruelties—cramped into inadequate cages out of doors, without food, water, or human attention. Often, they have been shipped under cruelest possible conditions far away from where they were stolen and sold like so many bags of grain to the highest bidders.

I have always believed, Mr. Chairman, that any cruelty to animals is among the most disgusting and heinous crimes against nature. I think we must put a stop to such evil practices which have brought heartbreak to so many youngsters and their families in our Nation.

Therefore, I am today introducing legislation designed to end the theft of pet dogs and cats by unscrupulous dealers. It would protect family pets from theft and abuse through authorizing the Secretary of Agriculture to regulate the transportation, purchase, sale, and handling of dogs and cats in interstate commerce.

It is apparent that, in order to protect the owners of dogs and cats from theft of such pets and to prevent the sale or use of stolen dogs and cats, it is essential to regulate the transportation or purchase and sale of dogs and cats.

Briefly, my bill would require dealers in such pets to be licensed, and would require them to maintain humane standards in handling dogs and cats. Violations could result in a \$500 fine for each offense.

Mr. POAGE. We will now hear from Mr. Sloan.

STATEMENT OF H. J. SLOAN, DIRECTOR, MINNESOTA AGRICULTURAL
EXPERIMENT STATION

Mr. SLOAN. Mr. Chairman and members of the committee, my name is H. J. Sloan and I am director of the Minnesota Agricultural Experiment Station and I am speaking for the 53 agricultural experiment stations of the United States and Puerto Rico.

Theft of anything is, at least technically, illegal everywhere. Moral values are commonly associated with stealing, and thus theft is usually considered to be morally degrading as well as illegal. Because of the closer kinship that is commonly felt between animals and man than between inanimate objects and man, there is a particular violation of moral precepts associated with the stealing of animals.

The scientific community as a whole deplores the theft of any animals for any purpose. Therefore, aside from the legal hazards with which the use of such animals might be associated, scientists would support reasonable means by which this practice could be minimized. It may be pointed out that theft of pets for use in scientific laboratories has not been demonstrated to be more prevalent than theft for other purposes.

Those of us in the agricultural experiment stations are no different than others in the scientific community in regard to these principles, but we do have concerns when we are perhaps unwittingly subjected to a type of regulation aimed at a practice, theft, which may apply to pets but which is practically nonexistent among the various classes of farm livestock, and to the best of our knowledge, never for scientific research.

In the work of the agricultural experiment station, large numbers of horses, cattle, sheep, swine, turkeys, chickens, ducks, geese, and many other species are used in research. Theft is practically nonexistent in modern times in these classes of animals. As a consequence, burdening those who use such animals in research and those who sell such animals to experiment stations and others with a complex of regulations, licenses, and fees aimed at preventing a condition which does not in fact exist seems an unnecessarily harsh burden, as well as stigma, to place on this group of research workers. The term, "and other animals," has no real application or need for the vast majority of research done in the agricultural experiment stations.

The inevitable effect would be to greatly complicate the acquisition of experimental animals by experiment stations, since they frequently do not raise their own supplies, particularly some of the smaller species such as chickens and turkeys and often also in cases where cattle, sheep, and swine are purchased for feeding and other experiments when relatively large numbers are needed. The sellers, according to some of the legislation now proposed would need to be licensed and it is questionable whether for the occasional sale made to the experiment stations for these purposes, they would feel justified in buying licenses and subjecting themselves to the regulations and fees involved. They would prefer not to sell to the stations, especially in many instances in which the animals are sold as a convenience to the experiment stations rather than as a source of profit. For farm classes of livestock there are few if any suppliers or dealers selling the various species especially for research purposes.

We also feel that in view of the fact that in the great majority of cases the experimental animals are kept under conditions which are considered to be normal for the particular species involved, the matter of inspection and approval of facilities for the research workers does not seem to be a justifiable issue.

As a consequence, we respectfully but urgently request that if special legislation is considered to be necessary beyond what already exists to prevent the theft of pets, such legislation be so worded as not to impose hardships in instances where there is in effect no problem.

Mr. POAGE. Thank you very much.

We have more witnesses on the list. The Chair hopes that we will wind this up as soon as Congressman Sweeney has inserted a statement in the record. I note that he is not here. I do not believe that Congressman Wolff is here, and, therefore, his statement will be inserted into the record at this time.

(The prepared statement of Hon. Lester L. Wolff follows:)

STATEMENT OF HON. LESTER L. WOLFF; A REPRESENTATIVE IN CONGRESS FROM THE
STATE OF NEW YORK

Last year researchers at public and private medical research facilities receiving Federal funds used more than 1,750,000 dogs and 500,000 cats in experiments. The estimated costs of these animals range from \$30 to \$50 million, and is a large and growing business. These animals serve an extremely useful purpose, providing experimental material for work that cannot be performed upon human beings. The sacrifice of these animals has saved many human lives, and I do not oppose this type of carefully controlled research.

But I am appalled at the racket that has developed within this industry. To begin with, organized thievery of household pets has become a major source of experimental animals. The Humane Society of the United States has claimed that more than 1 million dogs are stolen annually. Medical men are not stealing these dogs and cats. But unscrupulous, cruel, and callous men are. From all over the country have come reports of a growing traffic in animal misery. These animals are stolen, often out of the hands of the children whose pets they are, and are then passed on to people who traffic in them with incredible disregard for their welfare.

Cases have come to light in which animals have been penned up in the most indescribable conditions, without food, water, or care of the most elementary sort. Animals have been found in filthy, overcrowded, and poorly ventilated pens, their only food frozen animal entrails and a poisonous-looking mash composed more of sawdust and dirt than food. Dogs and cats have been found penned up in conditions that have caused one observer to label them "Auschwitzes for animals."

The animals, often stolen by a local thief, are usually sold as quickly as possible to a "grassroots dealer." These men are often the ones who visit the most cruelty upon these poor brutes. Dealers collect the animals in out-of-the-way places, later delivering them to what passes for an "auction" of the animals. These sales to "traveling middlemen" almost defy description. These middlemen deliver animals to research institutions. At these auctions dogs and cats are penned up in their own filth, and often die of starvation, thirst, suffocation, or physical abuse. Some reports speak of "piles of dead dogs being dumped in the woods." Animals are sold in bulk at these auctions, the going rate apparently being 30 cents per pound. Puppies are sold at 10 cents each, being stacked like cordwood in vans for delivery to research centers. And there is no doubt of the interstate nature of these auctions.

Is this happening in the Republic in 1966? Can this actually be occurring now? Can this be permitted by the National Legislature and lawmakers of 50 States? Everything points to an answer of "Yes." This beggars belief. The imagination boggles at the thought of such heartless and useless cruelty to innocent animals. This must stop forthwith. There must be no vacillation regarding control of these activities. These sadistic traffickers must be controlled so that legitimate research can move ahead as intended. I therefore have introduced a bill (H.R. 9875) that is intended to eliminate the worst of these cruelties. May I add here that I previously testified in support of the strengthening amendments proposed by the National Catholic Society for Animal Welfare. I again endorse these amendments, and strongly urge that they be included in any forthcoming legislation. My bill is designed to protect owners of dogs and cats from thefts of their

pets. It is designed to prevent sale or use of stolen dogs or cats for purposes of research and experimentation. It will regulate the transportation, purchase, sale, and handling of dogs and cats by persons or organizations engaged in using them for research or experimental purposes or in transporting, buying, or selling them for such use.

Before any research facility can purchase or transport dogs and cats in commerce, that facility will have to obtain a license for that activity from the Secretary of Agriculture. Before a dealer in animals can buy, sell or transport a dog or cat for sale to a research institution or another dealer, he will have to obtain a license from the Secretary of Agriculture.

The Secretary of Agriculture shall be authorized to promulgate standards for the handling and transportation of dogs and cats by research facilities and dealers. He shall also make sure that all such animals sold in commerce or to research facilities shall be marked and identified. Also, that records of a proper nature shall be kept by all research facilities and dealers on these animals.

To allow owners to have a chance at finding their pets, no animals should be allowed to be sold before a period of 5 business days has elapsed since its acquisition. In this way, the quick sale by night and interstate transportation of animals out of an area where they have been obtained will be halted.

An end is to be put to these disgusting animal "auctions" whereby animals are sold in bulk and by the pound under impossible conditions. And no research facility shall purchase any animal except from a licensed dealer. Finally, any violation of these laws will be punishable by a year in prison or a fine of not more than \$10,000, and that the Secretary of Agriculture shall have the right to suspend any dealer's license should there be a violation.

This bill cannot legislate the end of animal thefts. However, it will regulate interstate commerce in research animals. With set Federal standards for the treatment of these animals, and licensing for those who deal in them, the worst evils should then be brought under proper control.

I should like to add here that the National Catholic Society for Animal Welfare has suggested that the protection of these proposed laws be extended to all other vertebrates used for experimental purposes, and the humane care thereof. Care that any responsible owner would provide. I do endorse this recommendation, and hope it will be included in any forthcoming legislation.

This is the least we can do. If we enforce strictest standards on transportation, sale and treatment of meat animals that are merely for slaughter, shall we not extend protection and a modicum of kindness to animals we profess to love, and who are going on their final journeys in the name of human progress and health?

Mr. POAGE. The next witness will be Dr. Sumner Wood.

STATEMENT OF DR. SUMNER WOOD, JR., ASSOCIATE PROFESSOR OF PATHOLOGY, JOHNS HOPKINS UNIVERSITY, SCHOOL OF MEDICINE, BALTIMORE, MD.

Dr. Wood. Mr. Chairman and members of the committee, I am Dr. Sumner Wood, Jr., associate professor of pathology, Johns Hopkins University School of Medicine. I am here today to testify in behalf of the American Association of Pathologists and Bacteriologists and the Federated Society for Experimental Pathology.

First of all, let me assure you that as an owner and lover of pets, especially cats and dogs, I favor sound and progressive legislation to assure better sources, care, and facilities for all animals.

Our associations support proposed legislation that:

- (1) Improves the care of laboratory animals through training and teaching of personnel and improvement of facilities for animals; and
- (2) Provides inspection and accreditation of laboratories by the American Association for the Accreditation of Laboratory Animal Care. This association, composed of individuals knowledgeable in the

requirements of good animal care, would inspect and recommend for accreditation those laboratories meeting the specifications outlined by the Department of Health, Education, and Welfare.

Although we are firmly and unequivocally in favor of legislation to protect animals, H.R. 12488 and related bills would not assure the welfare of animals nor promote the interest of the public for the following reasons:

(1) These bills include animals other than dogs and cats, such as frogs, mice, and fish. It is impractical and economically unsound to control the traffic of all animals. It is strongly urged that only dogs and cats be included.

(2) These bills possess discriminatory features limiting interstate commerce of laboratory animals. It is suggested that no restriction be made on interstate commerce of any animals whether for laboratory or any other use. The complications of animal handling necessary to implement this law would result in unnecessary emotional and physical discomfort to animals.

(3) The licensing of veterinary, medical, and research laboratories would impede the training of students in medicine and veterinary medicine, optimal diagnosis and treatment of diseased animals and progress in medical research.

(4) The special program in progress under the direction of Dr. Robert A. Squire at Johns Hopkins in chemotherapy of leukemia in dogs and cats is designed to prolong the life of pets and to provide additional information for the treatment of human leukemias in children and adults.

This program would be severely impeded by the restrictive legislation of H.R. 12488. To date, 30 dogs and cats with leukemia (referred by practicing veterinarians) have been treated using methods similar to those employed in leukemic children or adults. Although there is still no cure for leukemia in man or animals, the majority of these pets have enjoyed many additional happy months at home with their owners. This free service is offered without obligation to all owners of affected dogs and cats.

Animals suffering from other diseases similar to those occurring in man—such as cancer, diabetes, hemophilia, infections, lung diseases and heart diseases—have also benefited directly from medical research. Such active programs in comparative medicine, although ultimately designed to benefit health of human patients, have as their immediate effect improved care and treatment of diseases in animals.

Mr. POAGE. Thank you, Dr. Wood.

We have with us Congressman Helstoski who is the author of one of the bills.

We also have Mrs. Shapiro of the Medical Research Association of California. Is your request that the Board be allowed to testify, or do you want to testify with Dr. Putney, or what is it?

Mrs. SHAPIRO. We would like to testify, that is, if we may, because we have come a long way.

Mr. POAGE. I want to cooperate, but the Chair does not know, when I get a list here, and two people are listed from the same association—I have no way of knowing how you want to do it.

We will try to hear those who are here, and we will be glad to hear from you, but at this time we will hear from Congressman Helstoski.

**STATEMENT OF HON. HENRY HELSTOSKI, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF NEW JERSEY**

Mr. HELSTOSKI. Mr. Chairman, thank you for extending me the opportunity to speak again before your committee about legislation regulating the transportation, sale, and handling of dogs, cats, and other animals intended for use in research and experimentation.

When I spoke before you last fall during the preliminary session of these hearings, I argued in favor of congressional action in this area. Today I would like to reiterate a number of general points I made then and plead for my own bill, H.R. 10743, which differs from the other bills before you on a very important point.

To begin, I must repeat that the bills you are considering should not bear upon the humane treatment of laboratory animals nor limit in any way the actual conduct of research. They should deal only with the transportation, handling, and sale of research animals and work primarily to end the traffic in stolen household pets.

Evidence that this traffic does exist is accumulating at an increasing rate all over the country. The Humane Society of the United States, as you heard in the earlier hearings, and will hear again during these sessions, estimate that probably more than 50 percent of dogs and cats used in research are stolen pets. The precise percentage is irrelevant. Any figure approaching this order of magnitude demonstrates that we are not faced with isolated, unfortunate incidents, but a well-developed network of demand and supply. And it touches and pains the lives of many Americans.

The sale of animals to laboratories by dealers who gather them up whenever and by whatever means they can has become a major industry. But it is one that carries on its activities out of the public view.

Investigations and arrests of dealers have revealed animals starving, thirsting, and freezing; the living, dead, and dying all crammed together into grossly overcrowded pens. Sale of animals at auction by the pound is common practice.

Secondly, my bill would work to improve the conditions under which animals intended for research are transported and temporarily housed. In the last few months the national press has given wide circulation to the scandalous facts which we learned about dealers' facilities and negotiations in last fall's hearings—horror stories which make it difficult to ignore.

Such deliberate and grasping cruelty to any living thing cannot be permitted to prosper. Legislation authorizing the establishment of standards for the transportation and handling of research animals would have the additional benefit of improving the quality of animals used and, so, contribute to raising even higher the standards of medical and scientific research in this country.

This legislation is not considered earthshaking, particularly in time of tremendous historical events. This is all the more reason why someone should call attention to these abuses which can be so easily overlooked.

These poor creatures cannot speak for themselves, but they suffer for man. Surely man should have sufficient compassion to see that they do not suffer unnecessarily. That is no more than simple justice.

H.R. 10743 attempts to deal with this problem by making it unlawful for a research facility, especially those receiving funds from a Federal agency to purchase cats, dogs, or other animals or transport them in commerce except from a dealer licensed in accordance with the act. Similarly, the bill would make it unlawful for a dealer to sell dogs, cats, or other vertebrate animals or offer to sell or transport them to any research facility or to buy, sell, or transport them to another dealer without having a license. Standards governing the handling and transportation of dogs and cats by both dealers and research facilities would be promulgated by the Secretary of Agriculture.

My bill specifies further that the standards set for the care of animals by dealers be those which "a responsible and conscientious owner would ordinarily provide for an animal kept as a household pet." It also expressly forbids the sale or transportation of any sick, injured, unweaned, or pregnant animal.

My bill further provides for the outlawing of sales of dogs and cats to research facilities at public auctions or by weight, not only because of their role in the dognaping problem, but also because these animals are often kept in filthy, crowded, and poorly ventilated pens or crates. Puppies and kittens sell for as little as 10 cents and wholesale lots are disposed of at about 30 cents a pound. There has been evidence presented that one auction owner in Pennsylvania had grossed better than \$500,000 last year through this type of animal disposal.

One of the important provisions of H.R. 10743 is that it requires inspection of dealers' facilities—no fewer than six times a year—to determine whether they are complying with the standards established under the act. Regular inspection of transportation of animals by and from dealers to research facilities is also required.

I feel that this is a crucial provision and that it should be detailed in the legislation. It would serve notice that the Federal Government is in earnest about clearing up the flagrantly illegal and immoral practices and conditions which appear to be widespread in the animal dealing business. Without provision for inspection, any Federal law would be at best a token effort—and easily flouted.

The magnitude of dealing in dogs and cats for research and for experimentation can be realized when last year laboratories and hospitals receiving Federal grants for research spent between \$30 and \$50 million on dogs and cats. More than 1.7 million dogs and one-half-million cats were sold to tax-supported institutions. This vast expenditure dissolves itself into a wholesale pet smuggling and stealing enterprise.

Larceny, in its simplest form, is not condoned by our society, but dognaping is the meanest, for what can a parent tell a child when his pet has been stolen?

Interest in this problem has been raised to such a height in this country through the publicity that it has gained through various news media, that I was invited to appear on the Barry Gray show on February 4 to discuss my bill. Mr. Gray's show is a radio presentation over station WMCA in New York City and begins at 11 o'clock each evening and continues until 1 a.m. Any doubts that this program does not have an audience can readily be dispelled by the vast amount of mail which I received from the listeners to this show, all expressing

their approval of this legislation, and urging its quick adoption. For several weeks after my appearance, my office was still receiving a large volume of correspondence complimenting the action taken to correct the abuses in the handling of dogs and cats to be used for research and experimentation.

As I stated previously, this legislation has nothing to do with the actual research or experimentation on animals. It is specifically directed toward the transportation, handling, and sale of animals prior to their use in these research projects.

It would seem to me that those persons directly affected by this bill, in this instance, the dealers, would present a solid front against the enactment of this legislation. At the hearing last fall no such dealer appeared to protest and none are scheduled for these hearings. I wonder why? Could it be that upon a close scrutiny of their testimony the true picture would be brought out and verify the truth of these inhumane and abusive treatments which these animals must undergo? Would they testify that their farms are in the state of neglect that we know them to be? If their testimony would verify these conditions and abuses, then we need this legislation and we need it now.

A number of witnesses in last fall's hearings, noting that many States already have laws dealing with the sale and transportation of animals, testified that stronger State legislation would be preferable, if not also more effective, than Federal action. On the contrary, I am convinced that Federal action is necessary if the situation is to be substantially and permanently improved. The nature of the business is such that illegally procured animals are often carried across State borders and resold; a single dealer may be liable to conviction under State law but the network is not greatly weakened. Secondly, it is a matter of record that many of the worst violators of State laws relating to cruelty to animals—as well as illegal procurement and sale—repeatedly convicted, remain in business. A \$50 or \$100 fine is not sufficient deterrent when demand is high and business is lucrative.

After the recent raid on the "Dachau concentration camp for dogs," the operator of this farm was fined the sum of \$25 for his operations of that farm. A second dealer was fined \$50 and a third one was assessed the sum of \$100 and costs. In the third instance, this dealer was charged for the second time in 2 weeks for cruelty to animals. These token fines under the State laws are, to me, a symbol of a license to continue their operations. Penalties under my bill, H.R. 10743, would be meaningful and would go a great way to eliminate the problem which presently exists.

Mr. Chairman and members of the committee, in summary, my bill would require licenses for commercial animal suppliers and inspection of their premises. Secondly, it would establish standards of treatment for animals held by dealers. It would further require that the dealer hold the pets for 5 days so owners may reclaim a pet. The bill provides for the maintenance of records of sales and for recording the identification of the animals. It also makes the dealers subject to a \$10,000 fine or 1 year in jail for violation of any of the provisions.

In conclusion, let me again stress the fact that this bill will not in any way curtail or outlaw scientific research. It would merely prohibit the acquisition of animals for research or experimental purposes except from licensed dealers.

We are all aware of the fact that such scientific experimentation has resulted in the advancement of our knowledge in the field of medicine and science.

I also wish to again call your attention to the fact that the persons to whom this legislation is directed, that is the animal dealers, did not request time to appear as witnesses against this legislation, and we know the reason why they did not do so.

I urge your support of H.R. 10743 and wish to thank you for the opportunity and time you have given me to present my case in this matter.

Mr. POAGE. Thank you very much.

We will now hear from Dr. Putney.

STATEMENT OF DR. WILLIAM PUTNEY, REPRESENTING THE MEDICAL RESEARCH ASSOCIATION OF CALIFORNIA

Dr. PUTNEY. Mr. Chairman, and members of the committee, I am William Putney, doctor of veterinary medicine, representing the Medical Research Association of California and I am a member of its board of directors.

We have over 5,000 members, the majority of which are lay citizens who are interested in supporting medical research.

In World War II, I was director of dog training at a dog training school of the U.S. Marine Corps, chief veterinarian at Camp Lejeune, commanding officer of war dog units on Guadacanal, Guam, and Saipan.

I am the past president of the Southern California Veterinarian Association and immediate past president of the California Veterinary Medical Association.

For the past 20 years, I have been in the private practice of veterinary medicine.

I bring this background to you only to substantiate the fact that for the last 29 years of my life it has been devoted to whatever contribution I might make to alleviating the suffering of animals, whether it be from wounds or abuse of ownership, or the natural appearance of disease or unavoidable accident.

Medical research contributes to the health and wealth of animals as well as to the health and wealth of mankind.

The problem we are confronted with today is not the regulation of animal dealers per se, nor the passing of laws to curb dog stealing. No one in his right mind would condone either the stealing or the maltreatment of animals. The problem really is one of the antivivisectionists being against medical research, using animals of any kind.

If the people here today really wanted to solve the problem that has been so carefully cloaked under the term "dog stealing" they would return to their respective communities and actively work to secure legislation at the local level, allowing unwanted, unclaimed, animals that are presently being destroyed by the thousands to be made available to proper institutions of medical research.

In 1951, we actively supported and passed a law in Los Angeles by the ballot of the people providing for the release of unclaimed animals from the pounds to the medical institutions, the licensing of all re-

search institutions and an inspection by the Los Angeles County Veterinarian, with the provision that any owner wishing to give his pet to a pound for adoption could sign a statement to the effect that such pet, under no circumstances could be used for medical research.

The facts of the matter are that after 15 years we have no dognaping for the purpose of sale to medical research institutions.

In January 1966, in my own country pound department, the following figures are given: There were 603 dogs released for adoption to new homes; 136 released for use in medical research; 4,239 destroyed.

The record for the cats, there were 106 released for adoption; none to medical research; 1,174 destroyed.

I submit that the laws providing for the punishment for the theft of animals and inhumane care of animals are a must.

Under any circumstances could I stipulate that the laws being proposed here are going to solve the problem of an inadequate legal supply of animals so vital for medical research.

Thank you.

Mr. POAGE. Thank you so much.

We will next hear from Mrs. Betty Shapiro.

STATEMENT OF MRS. BETTY SHAPIRO, CHAIRMAN, LOS ANGELES COUNTY HEALTH COMMISSION

Mrs. SHAPIRO. Mr. Chairman, honorable gentlemen of the committee. I am Betty Shapiro, chairman of the Los Angeles County Health Commission, and I am deeply interested in the health and welfare of our community; a member of a fine organization called the Citizens Committee for Better Health; and serve as a member of the advisory council of the Medical Research Association of California, a large membership organization that has many outstanding research institutions as members.

I wish to go on record opposing H.R. 12488 and H.R. 9743 and their counterparts. Within southern California we have established sound city and county pound laws that guarantee protection to the pet owners and at the same time release to accredited institutions animals for research purposes. Under the bills that are being considered here today, both the pounds and the research institutions would have to be licensed (which I doubt you could require a city or county pound, legally, to do); but if this were the case, you would be closing the doors of our pounds to the institutions and would create a situation conducive to the trade of blackmarketing of dogs and cats. Today, if a pet owner loses his dog it is picked up by the pound, there is a 5-day waiting period in which he has the opportunity to redeem the animal. Under the proposed bills, it would be almost impossible to enforce the kind of laws that are suggested.

At the present time, in California a bill is being studied that would protect the pet owners and guarantee a proper, adequate supply of animals for study. Every State should have such a law. Then, all of our fine accredited research institutions will be able to carry on the very important studies that are so necessary to promote better health for both man and animal.

Thank you for your courtesy in listening to me.

I would like to add this. Within this period of time, I had a young daughter of the age of 6 who was knocked down at school and suffered brain damage. After two serious operations they planted a shunt. And to those of you who do not know what this is, it is a plastic tubing in the third ventricle of her head and today she is alive, well, intelligent, and 17 years of age. That is due to a procedure that was used on a dog.

Mr. POAGE. Thank you very much.

Are there any others here who want to file statements for the record? If so, you may do so.

I understand that early in the morning when I had thought that we had completed the list, we found there were some who would want to testify. I understand that Dr. William H. Dieterich was not in the room when his name was called. Would you care to file your statement or do you want to testify now?

Dr. DIETERICH. I would like to do both if it may please you.

Mr. POAGE. You may do so, but I will not promise how long you will have an audience. You may proceed.

STATEMENT OF WILLIAM H. DIETERICH, D.V.M., HAZLETON LABORATORIES, INC., FALLS CHURCH, VA.

Mr. DIETERICH. Mr. Chairman and members of the subcommittee, we are happy to respond to the invitation of the subcommittee and to make a statement in regard to H.R. 12488.

I am employed by Hazleton Laboratories, Inc., an independent laboratory specializing in research and development in life sciences and chemistry. In its various programs to determine the safety and efficacy of drugs and agricultural chemicals, this company utilizes between one-third and one-half a million laboratory animals each year, the vast majority of which are bred for this purpose. Hazleton Laboratories has always subscribed to the principles of laboratory animal care developed by the National Society for Medical Research in collaboration with the ACP, AVMA, AMA, and other organizations of professional biological scientists. I certainly believe that the owners of dogs and cats should be protected from the theft of their pets; however, existing State, county, and municipal laws and ordinances are already adequate for this purpose.

H.R. 12488 provides for Federal control in addition to State, county, and municipal laws, and it is questionable that the additional expense which would be involved is justifiable.

Under section 1, reference is made to "purposes of research and experimentation." We feel that owners of pets and other animals should be protected from theft thereof, no matter what the ultimate purpose, and recommend that the phrase "for purposes of research and experimentation," and related phrases, be deleted. There certainly are other motives which would lead criminals to steal pets. There have been reports of hunting dogs being stolen. There have also been reports of pets being stolen for resale to pet shops or directly to individuals.

Section 5 provides that the Secretary will prescribe humane standards for research facilities. There are several other bills under con-

sideration by the Congress at this time that also provide for the setting of standards for research facilities, and, this provision could lead to a great deal of confusion in our opinion.

Section 7 would require that all animals be marked or identified in such manner as the Secretary may prescribe. Our laboratory utilizes over 250,000 mice per year and individually marking these animals would be a considerable burden. In our opinion, it is unnecessary and impractical to require that laboratory rodents be marked.

A great majority of animals utilized for research by our organization are specially bred for that purpose under carefully controlled conditions. Animals procured from other sources are generally not suitable for our research because of lack of uniformity or desirable characteristics, or because of poor health. Requiring the burdensome task of identifying and recordkeeping of all laboratory animals with the objective of protecting pets from alleged stealing certainly is a negative approach. Furthermore, it is doubtful that requiring animals to be marked by dealers after acquisition would accomplish the stated objective.

It would be far better to promote a means for individuals to properly identify their pets with permanent markings. An organization, the National Dog Registry, of Stanton, N.J., already offers this service. Properly publicized, I am sure that the scientific community would cooperate fully in protecting owners of pets by reporting receipt of any properly identified animal. My company has already agreed to report to the humane officer of northern Virginia all instances where an animal is received bearing a tattoo other than that applied by our own breeders. In such cases, existing laws could be used to prosecute any wrongdoers.

In summary, we believe that H.R. 12488, if enacted in its present form, could impose an unjustified burden on research organizations such as Hazleton Laboratories, Inc., and fail to achieve its stated objective. It would result in unnecessary expense and a dilution of scientific effort to the detriment of the public health and welfare. A positive program such as the identification of pets by owners and the publication of this program to the scientific community is urged as a desirable alternative.

Mr. POAGE. The Chair feels that the people who have come here with anticipation of testifying should have an opportunity to do so, and we cannot have a meeting this afternoon, because the full committee meets at 2:30 o'clock. I am going to stay here and hear the people who have come here to testify. If any of you others feel that you can stay, we will be glad to have you do so.

The next witness will be Dr. Bernard J. Baltes. We will be glad to hear from you now.

STATEMENT OF DR. BERNARD J. BALTES, DIRECTOR OF BIOLOGICAL SCIENCES, RIKER LABORATORIES, INC., DIVISION OF REXALL DRUG & CHEMICAL CO., NORTHRIDGE, CALIF.

Dr. BALTES. Mr. Chairman and members of the committee, I have been somewhat astonished at the reports that have been published concerning the animal procurement problem as we in southern Cali-

fornia have not observed this condition. There is a real reason why this condition does not exist in our area and, as others have stated before me, it is simply due to making pound animals available for medical and experimental use.

I thought it might be of interest to you to see how an industrial organization interested in research and experimentation operates in respect to animal procurement. Our laboratory is licensed by the State and the city and is inspected twice a month by city officials. We purchase our animals from the local pounds which are operated by city and county personnel.

There is no problem with an adequate supply and one should keep in mind that the Veterans' Administration and university research units also acquire animals from this source. No animals are released to us until 7 days after they have arrived at the pound. Adequate records are kept in case an owner comes looking for a pet and even after the 7-day period it may be possible to locate the animal in our laboratory and have it returned.

I would like to repeat that this system is functioning very satisfactorily to all concerned: State, county, city, pet owner, industry, and other research units.

Furthermore, our company does not accept stray animals. Before a pet can be brought into our laboratory, a release form must be signed by the owner and it must be signed by the president and director of research. As a corporation we just cannot risk any adverse publicity of any kind as the financial loss could be appreciable.

I am opposed to both bills for various reasons. The principal reason is that they are discriminatory. I agree that research and experimentation is one of the big users of animals but surely this doesn't compare with the supply needed for pets, racing, theatrical, and other uses. In fact, one bill, H.R. 12488, would include frogs, fish, and other vertebrates. If we in research are singled out, why not the others? If all were included, which may be an interpretation of both bills, suppliers of pets ranging from snakes to monkeys should be licensed and policed. The cost would be prohibitive. It is my understanding that in our system in southern California the purchase price of pound animals, about \$3.50, hardly an incentive for thievery, covers all operational costs incurred. The people using the animals for research are not only making excellent use of these animals but also supporting the other functions of the pounds.

We do a considerable amount of work with fish and, believe me, it would be impossible to attempt to tattoo these wiggly old characters.

It seems a bit ironic to me that the humaniacs, in all their righteousness, have actually created this monster, "the dognaper," by influencing individuals to destroy animals rather than release them for research and experimentation. Then on top of this they ask the Federal Government to destroy the monster by strict regulations when all could be handled so easily as we have done in California where the animals are made available to us.

Mr. POAGE. Thank you very much, Dr. Baltes.

Dr. Booker will be our next witness, to be followed by Dr. Sperling. We will be glad to hear from you now, Dr. Booker.

**STATEMENT OF DR. F. BOOKER, HOWARD UNIVERSITY,
WASHINGTON, D.C.**

Dr. BOOKER. Thank you very much, Mr. Chairman, for the opportunity to be heard on this very important subject.

I come before you as president of the Committee for Health and Research of the District of Columbia, composed of representatives from all the medical schools, industrial and private laboratories in the Washington area. In addition, I am professor and chairman of the Department of Pharmacology of Howard University and chairman of the Committee on Research of the College of Medicine.

I have listened with earnest interest to the proponents of all of the bills under consideration here. I want simply now to repeat my own thesis and that of the groups I represent regarding the proposed legislation and to amplify and reinforce the substantive elements of the NSMR's proposal for an eventual bill as pointed out by Dr. Maurice Visscher yesterday.

For 17 of the approaching 24 years I have been at Howard, battle-lines have been drawn sharply on proposed legislation on animal experimentation; and the proponents have heightened their efforts in the last few years under one or more disguised objectives, but really having in mind exactly what Mr. Amory said yesterday, "getting at the laboratory."

I think that Mr. Amory should be commended for bringing this matter right down to the crux of it. It is to this objective and to this spirit that I want to speak. We have heard much of wanton cruelty, needless pain, callousness and carelessness, even black market in the procurement of animals. As medical and biological scientists, we abhor and resent the stigma that has been placed upon us, and it is a parody, an anachronism indeed, that the harder men work and the more fruitful their work has become, the greater are the movements to reduce our efforts to improve man's lot on earth—even those who fight us and impede our efforts.

As we go more and more into space exploration it will become increasingly important to know more about drug action in space.

I am happy to say that we have recently joined with the Brooks Air Force Base in a very interesting research program in this connection.

Could the animals subjected to high altitude be thought of as suffering simply because they are not anesthetized? Confined to cages for many days? Maybe. Undoubtedly true, but nothing like the small space that Schirra and White occupied for 15 days. I say to you, gentlemen, that it is high time that men of goodwill and of intellectual resources, such as you and those among our group sit down and approach problems in medical care in an atmosphere of constructive and positive attempts to raise the level of animal procurement, maintenance, and experimentation through the avenues available to us all. The first step in this direction, it seems to me, would be for you gentlemen to agree to visit the laboratories and the animal sections of the medical schools here in the District of Columbia, announced or unannounced; and we invite the members of your committee to take part in emotionless seminars on animal care which could be arranged for you in

order that we may sit around the table and come face to face with the real problems, minus the emotion. The crux of the problem does not stem from the scientists, who have been labelled as wanton and sadistic, but from a lack of understanding in some quarters and frank distortion of facts in the others. The medical and scientific laboratories of our country have been bludgeoned and falsely accused of cruelty and of being accessories before and after the fact of animal stealing.

But we, even so, stand ready to join a program, with you, preferably, for better understanding and toward the creation of a better climate.

Mr. POAGE. Thank you, Dr. Booker.

Dr. Sperling will be the next witness, to be followed by Dr. Edward Mazique.

We will be glad to hear from you now, Dr. Sperling.

**STATEMENT OF DR. FREDERICK SPERLING, ASSOCIATE PROFESSOR
OF PHARMACOLOGY, HOWARD UNIVERSITY MEDICAL SCHOOL,
WASHINGTON, D.C.**

Dr. SPERLING. Mr. Chairman and members of the committee: my name is Ferderick Sperling, associate professor of pharmacology, Howard University Medical School.

I would like to record my opposition to H.R. 12488 which represents a gratuitous attack on the scientific community which has contributed so greatly to the health and well-being of all of us. The proponents of these bills all cite that up to 60 percent of dogs sold by dealers to laboratories are stolen, but no actual numbers are given. The only substantiation for this percentage is a projection based on individual cases involving single dogs. If this percentage is correct, then at least 100,000 dogs are stolen yearly and sold to dealers. Isn't it odd that records to substantiate such prevalent activities cannot be produced? Isn't it apparent that the economics of the situation contradict the prevalence of the dog stealing? Furthermore, isn't it odd that dogs stolen by unscrupulous hunters and others are not considered in the proposed legislation? When is a larcenous act now larceny? Doesn't the proopsed legislation come dangerously close to being a bill of attainder?

Instead of unsupported percentage figures which are not based on any sort of recorded data, we cite recorded data obtained from legal authority in Prince Georges County, Md. The pound in that county destroys more than 15,000 dogs yearly, and in addition removes more than 1,000 dead dogs yearly from the streets and highways. This total of almost 17,000 dogs yearly are by and large animals which have been unclaimed by the owners. That the owners do not regard these animals to have been stolen is attested by the fact that of almost 900 cases of reported larceny in Prince Georges County in 1964 only 2 cases involved dogs. Unless this county is to be regarded as wholly atypical, we can accept these figures as being characteristic of urban communities throughout the Nation.

In further support of these contentions, I would like to quote from the testimony of records last year submitted by Mr. William Mapel, administrative vice president of the ASPCA in New York, who testified in favor of the proposed legislation. In the first paragraph of page 2 of his submitted testimony, he says:

It would be safe to conjecture that over the last several decades of its century of activities in such matters the ASPCA has sought to trace and substantiate scores of informal and sometimes anonymous contentions that there is widespread thievery and sale of animals to scientific laboratories or that there is any semblance of an organized black market in the traffic of such animals. Such investigations have never substantiated or justified action in New York, and, to the knowledge of the records, have never resulted in the lodging of a formal complaint either by the society or by a citizen of the State of New York.

If a proponent of the proposed legislation, such as the ASPCA cannot find evidence of substantial dog stealing, despite their records and experience, where did the other proponents get their figures? The answer is obvious: they got the figures from their overheated imaginations.

But regardless of the magnitude of the problem described by the proponents, their own testimony of arrests and convictions for dog and cat stealing, indicate that, by and large, local authority has the means and will to act, and that pet stealing is an offense against existing local and State laws. Petty corruption by local officials, as cited by the bill's proponents, is unfortunately not rare and not confined to this problem. Such petty corruption has never been cause for Federal action.

Restriction and discrimination will not solve any existing problems, and in fact, may be harmful to further scholarly and technological endeavors. The bill proposed by Dr. Visscher is by far preferable to the proposed legislation. The proposed legislation is wholly inadequate and serves only to harass. The costs in time and in money is inordinately large.

Mr. Chairman, I would also like to protest the scurrilous statements pointed at scientists such as have been made implicitly and explicitly by the parade of so-called humanitarians are obviously not intended to be helpful to the deliberations of this committee. They are intended to gain publicity and to confuse the issues, furthering their own self-interests. They are not intended to be of help to the animals, to help research or to the Congress. It is time that these people be exposed for what they are. They are not humanitarians. They are anti-intellectuals in the true know-nothing whose stock in trade is the half-truth, and the non sequitur.

Thank you.

Mr. POAGE. Thank you for that portion of your statement which relates to the matters before us. I do not believe that it is the function of witnesses to come before this committee and to try to pass on the thinking and the purposes of other witnesses. We will be glad to hear now from Dr. Edward Mazique, but we want to hear about the bill and not about other witnesses. He will be followed by Mr. Powell.

Is Mr. Mazique present and is he going to testify?

Dr. BOOKER. I think that Dr. Mazique will not be able to be here today. I shall see to it that his statement is filed for him for the record. He is past president of the American Medical Association. He was very active in hearings for medicare, and I know that the committee would like to hear from him.

Mr. POAGE. Thank you. That permission is granted.

We will be glad now to hear from Mr. Powell.

**STATEMENT OF THOMAS E. POWELL, JR., PRESIDENT, CAROLINA
BIOLOGICAL SUPPLY CO., BURLINGTON, N.C.**

Mr. POWELL. Mr. Chairman and Members of the committee, I would like to mention that 21 years ago I appeared here before a similar committee in the Congress which, at that time, was discussing Federal aid to education. On that occasion I was the chairman of the School Board Association for the State of North Carolina, and there were many people who violently opposed the propagation of Federal aid to education, basing their opposition on the fact that with Federal aid would come Federal controls.

To follow up, after 21 years, and considering the bills that you have before you now, I would like to point out the fact that the educational institutions have been singled out along with the medical and research people as being part and parcel of this control feature. I would like to point out that there is a likelihood, and that there is a possibility, that this bill, if enacted as written, can be turned around to give the backdoor approach to the Federal control of education which we have been advised through these many years would not occur.

Another feature of my appearance here has to do with the "and other animals." I think that the medical profession has handled well the cats and dogs, but I am particularly interested in that particular phase of the proposition. I would like to give as an example the case of an aquarium.

In this day and time it is being supplied generally by PTA's to schools, elementary schools, the high schools—you find them in colleges and you find them in universities. You find them in any educational institution and in the homes.

An aquarium is composed of water, a cage, and the oxygenating plant, together with two other factors—one being tadpoles and another being a goldfish or some other type of fish.

This bill, as I read it, Mr. Chairman, says that the tadpoles that go in that aquarium and the fish that go into that aquarium cannot be supplied to the schools without, first, having a license. We have to have a license by the dealer, by the manufacturers or producers, and we have to have a license by the transporting company. We have to have a license by the schools in order to utilize and in order to set up that particular aquarium.

It is my hope, Mr. Chairman, that the "and other animals" of this bill can be dropped and eliminated and that the bill can be confined to its intended purpose of living cats and living dogs.

I shall now go into my statement.

In reference to H.R. 12488, bearing on regulation of animal experimentation, now before your committee for hearings, we desire to point out that certain sections of the bill, if passed as written, will extend far beyond its apparent intended purpose. The provisions of this bill will grossly interfere with and undermine our existing educational system in biology.

(1) We wish to go on record that we heartily support regulations protecting pets, such as dogs and cats, from being stolen from lawful owners, and deplore the existence of such practices, wherever they may occur.

(2) We do believe, however, that the owners of pets, be it a dog or cat, should be able to dispose of surplus animals by any humane method available. We deplore the fact that owners of cats or dogs will frequently transport such animals away from home, abandoning them in isolated places along the highway, there to slowly starve or survive as best they can. Again, it is a common practice to have such animals drowned, shot, or killed, frequently in a most inhumane manner. We feel, therefore, that such owners should have the choice of humanely disposing of pets without licenses or other restrictions.

(3) We call attention to section 2(f) of the term "vertebrate animal." We are unable to comprehend such a vast coverage of the animal kingdom in this bill. By this definition the following classes of vertebrates, whether living or dead, would be regulated:

(a) Fish—lampreys, sharks, skates, rays, Amia, catfish, perch, common eels, et cetera.

(b) Amphibians—salamanders, frogs, and tadpoles.

(c) Reptiles—turtles, snakes, and lizards.

(d) Birds—pigeons and chickens.

(e) Mammals—rats, mice, hamsters, guinea pigs, opossums, skunks, rabbits, muskrats, bats, Nutri, pigs, sheep, cows, horses, monkeys, et cetera.

Each of the listed animals is used in laboratory or research applications.

(4) We believe that section 2(f) should be amended to eliminate:

(a) All dead or preserved organisms.

(b) All cold-blooded vertebrates.

(c) All standard laboratory warm-blooded mammals such as rats, mice, hamsters, guinea pigs, and rabbits.

(5) Section 2(h) appears to require a license for any transporting company, such as the U.S. Post Office or express agencies, in handling shipments which might serve to prevent mail-order companies from delivering regulated animals.

(6) Regarding section 3, we feel that it is unnecessarily restrictive when a mail-order house such as ours might be required to ascertain the possession of a license of every elementary school, junior high school, senior high school, college, university, educational institution, or research facility which is a recipient of vertebrate animals.

(7) We suggest that section 10 be amended so that only the first dealer would be required to hold the animal for 5 business days.

Mr. POAGE. Thank you.

Is there anyone else who came here to be heard today; if so, we will hear you—come right up.

STATEMENT OF MICHAEL KREDOVSKI, LONE TRAIL KENNELS, FRIEDENSBURG, PA.

Mr. KREDOVSKI. Mr. Chairman and members of the committee, I am Michael L. Kredovski. I am the owner of Lone Trail Kennels, licensed dealers in Friedensburg, Pa., engaged in supplying research animals.

I have a prepared statement that I would like to offer for the record and to offer a few further comments.

In 1919, John Sher started the Lone Trail Kennels and for a few years delivered to the University of Pennsylvania animals for research without charge. Up to his death he ran and owned the kennels. I came in to help in 1959, and bought the business in 1960.

At the time we were not selling the number of animals that we are selling now. Right now I am supplying 60,000 dogs per year for research purposes.

The Lone Trail Kennels has never been prosecuted or arrested for any infraction of the law.

In the State of Pennsylvania we have dog laws. They are enforced. We have inspections by the agriculture department officials. I have had numerous inspections from the humane people, the SPCA, government institutions, and pharmaceutical houses. We have passed all inspections. We try to run a legitimate business.

I am not here to deny that there are dogs stolen. I am not here to deny that there is cruelty, but this is not the policy of the dog dealer. It is a rare policy, and I hope it is stopped. I think it can be stopped under the laws we have today. That is, if it wants to be stopped, it can be stopped, and it is not the policy of the dog dealers.

Thank you very much.

Mr. POAGE. Thank you very much. Your prepared statement will be made a part of the record at this point.

(The prepared statement of Michael L. Kredovski follows:)

STATEMENT OF MICHAEL L. KREDOVSKI, FRIEDENSBURG, PA.

My name is Michael L. Kredovski. I am the owner of Lone Trail Kennels, a licensed dealer in the State of Pennsylvania, engaged in the supplying of animals for research purposes. I wish to offer my comments on H.R. 12488. This bill strikes me as being a very large, successful effort on the part of all societies opposed to the use of animals for research, to influence our legislators, by way of their hysterical accusations, to enable them to have a bill introduced to authorize the Secretary of the Department of Agriculture to regulate the sale, transportation, and handling of dogs, cats, and other animals to be used for research.

There is absolutely no basis for the large figures, 2 to 3 million, dogs and cats stolen annually. Each time another derogatory article is printed, this figure grows. The theft of animals, particularly in large numbers, from one given area at one time, must certainly be a detectable crime. However, to my knowledge, I know of no arrests being made. Does this seem likely? Our cities, even our smallest towns, have some form of law enforcement agencies. Yet even the police departments in the largest cities in the United States have not been able to apprehend any such culprits, on such a spectacular, newsworthy charge. So, where do these staggering figures come from?

I am presently selling from 600 to 1,500 animals each week. These animals are all purchased from licensed dealers, who purchase, or are given, these animals by dog pounds in their area. These pounds are all governed by State or local regulations. These regulations specify the length of time an animal must be held by a poundkeeper before being released to a dealer, if such is their policy. Some States prohibit the sale of animals from a pound.

Having owned a dog pound in New Jersey, and serving 70 towns, before buying my present business 5 years ago, I know that it much more profitable for a poundkeeper to redeem an animal to its owner for a redeeming fee, plus a boarding charge, than it is to sell it to a dog dealer. I pay from \$1 to \$10 for a dog, depending on its size, weight, hair coat, and age. The overall average of a poundkeeper for redeeming a dog to its owner, is certainly better than that. It is amazing how many people "look" for their lost pet by way of the telephone. It is equally amazing that hardly anyone looking for their lost pet ever admits to owning a mongrel. It always has to be a specific breed. If people could only be honest enough that a spade is a spade and a black and white mongrel is a

black and white mongrel, not an English setter, identifying a lost pet would be a much simpler chore for a poundkeeper, and the chances of the animal ending up in some research center would be lessened. Also, if more pet owners would check with their dog warden for a lost pet prior to the specified number of days that a dog must be held at a dog pound, it would also improve their chances of getting their lost pet back. In a few States, 3 days is the minimum number of days that a dog must be held at a pound. In most States it is 7 days. I would know after 1 day whether or not my pet was lost, not 3 days or 7 days. Yet so many people will wait 10 days or even 2 weeks before checking with a pound for their lost pet.

Regarding the regulating of transportation and handling of research animals, only a person with no intelligence would suggest that after having invested more than \$150,000 in my kennel and equipment. I would ever transport my animals in a poorly built or ventilated truck, nor house my animals in an overcrowded or unsanitary kennel. My kennel buildings are large, specifically built for this use. I employ 17 persons, all engaged in seeing to the comfort and well-being of the animals. A letter in my files from the Pennsylvania SPCA specifically noting the contentment of all of my animals, the good conditions, automatic feeders and plentiful water supply, excellent heating and cooling systems, testify to this. I, personally, work 7 days a week to assure that my facilities will always warrant my expenditure.

My six trucks, all being 1966 models, and traded every other year, are a far cry from the chicken wire containers so often described as being used in the business. Not being ashamed of the work I am doing, my trucks are all very attractively designed and certainly recognizable as being used for the purpose intended.

Under Pennsylvania laws, my facilities are open for inspection by the State department of agriculture at any time. It is my policy to have my kennels open for inspection by any of my customers at any time. I have never been told to clean up my operations, nor have I ever had any charges placed against me for any violations whatsoever.

I visit all of my customers periodically, and am admitted to all research centers, and have yet to see any evidence of cruelty or poor research facilities. Why should any large company or institution run the risk of receiving bad publicity or even being closed down, after putting vast sums of money, time, and untiring effort on the part of truly dedicated researchers into their research projects.

Can you imagine what the passage of section 10 would mean to all segments of research? First, I could not possibly consider the expense of expanding my facilities to meet the need for holding a large number of animals for 5 business days. I would have to increase my capacity by four times that which I now have.

This, in turn, would increase my cost of the animals so much that a great many projects and studies would become economically impossible. Also realize how many medical students would not be able to receive their training on a living animal. Can actual practical knowledge be obtained by watching an operating procedure on TV? Can toxicology be learned from a textbook? The shortcomings from not being able to afford to buy live animals are too numerous to mention.

In some States, pound laws make it possible for universities, institutions and pharmaceutical companies to buy or receive gratis, animals from the local pounds. It is impossible to obtain a sufficient number of dogs for just one university, let alone to supply all of the places needing the animals.

Do you know of any pound that can accommodate 400 dogs at one time, and handle at least 1,500 dogs every week? I very much doubt it.

The recent exposé of the very undesirable dog dealers was most certainly long overdue. It made many research facilities sit up and take notice that their source of animal supply left a great deal to be desired. However, why should all animal dealers be punished because of the shameful conditions of a few unreliable ones. I feel that properly enforced State legislation can sufficiently correct the bad situations which exist in some areas. I would also suggest that a State board of directors and inspectors could handle the licensing and inspecting of kennels and research facilities.

I know that any bill dealing with "man's best friend" is bound to cause mixed emotions; however, we cannot, we will not, allow research to be hampered by it.

If H.R. 12488 is allowed to be passed in its present form, do you realize who will suffer from it? Humanity.

Mr. POAGE. Is there anyone else here who understood that you were to testify today? Is there anyone who cares to file a statement?

I have a statement here of Mr. Jacques Sichel which will be made a part of the record at this point.

(The prepared statement of Jacques Sichel follows:)

STATEMENT OF JACQUES SICHEL, UNION TOWNSHIP, N.J.

Mr. Chairman, ladies and gentlemen, my name is Jacques Sichel. I reside in Union Township, N.J. By profession I am a stockbroker in New York City. I am a director of the Humane Society of the United States and president of its separately incorporated New Jersey branch.

Puzzling reports about disappearing pets have been coming to us for years, but lately the rate of incidence has been increasing steadily. Anyone confronted with this constant flow of bits of information can piece the picture together. Rather than present you with conjectural thoughts, I will give you some of the reports as they come to us.

My remarks will be confined to one county in our State. Bergen County covers the northeast corner of New Jersey. It is, in some respects, one huge suburban community across the Hudson River from New York City. Suburban living means lots of pets. The county has provided us with a unique source of information. We were able to obtain the telephone number 567-8737. This number is important because it can be called by dialing L-O-S-T-P-E-T (lost pet). The lost pet service of the Bergen County Chapter of the HSUS New Jersey branch went into operation around the early part of January 1966. The location of the "567" telephone exchange dictated the location of this service. It might have worked out the same way in another county. We had no idea what this number and service would amount to. Apparently a person is more likely to pick up a telephone than to go to the trouble and the expense of advertising the loss of a pet. Still, a newspaper reporter told me last week of a noticeable increase in lost pet ads in the Bergen County papers lately.

Our phone service was unknown at first. Publicity in the newspapers came slowly and word-of-mouth advertising helped. After 4 weeks the young housewife volunteer in whose home the telephone was installed was unable to handle all the calls. She needed helpers and now we have hired an answering service. Calls come in from early morning until late at night. At the present time she receives on the average 12 to 15 new inquiries about a lost animal every day. I will give you a few samples:

Mr. MacLure from Riveredge. While walking his dog late in the evening he was stopped repeatedly by a stranger who tried to befriend the dog. The animal disappeared the same night.

Mrs. Moore from Paterson. Her collie was securely chained in the backyard. The dog disappeared; the chain is unbroken.

Mrs. Hines from Nyack. Her cocker spaniel, 11 years old, never left the yard. He disappeared without a trace.

Mrs. Lucia Palluci from Paterson. She stopped a young man running out of her backyard with her beagle, which was tied up behind the house. He admitted that a doctor would give him \$25 for each dog he brought in and said, "Many men are doing the same thing."

This is an excerpt from a long list I received last Friday; on Saturday I was told, among other stories, about a beagle kept in a locked pen—the lock was broken, the dog is gone. A woman from Mahwah missed her schnauzer; she made inquiries up and down the block and found out that four other dogs were missing on the same day. Yesterday she told me of a call that children excitedly reported that a man had driven up with a truck, loaded up the neighbor's dog and driven away.

The recent increase in dog stealing has alarmed people about the safety of their pets and they are asking us what we can do about it. I hope you can help us.

Bergen County is subdivided into around 90 small communities, which have their own police and fire departments, but which are unable to supply many other services. The municipalities contract with a commercial pound operator for dog warden service. Peculiarly the dog stealing problem in my State of New Jersey is worst in those communities where this service is not provided by the municipality or by a humane society.

I cannot accuse all commercial pound operators of dishonest practices; I know several who do an honest job. But there are strong indications that several of these commercial dog wardens are important suppliers of animals to wholesale laboratory animal dealers. This as such is a legitimate business, providing they comply with State and local regulations. It seems that these dealers and, I suppose, the laboratories do not want these strays picked up off the streets. These derelicts are starved, diseased, and old, they are not fit subjects for scientific research. The demand must be for healthy animals. I strongly suspect that this demand is met by illicit means.

Here are some additional reports:

Mrs. Andersen from Park Ridge found a stray shepherd. She notified the police to find the owner. The dog warden showed up, insisted on taking the dog and threatened a summons based on an alleged law which does not exist. Through the intervention of the mayor and the lost pet service the dog was returned to its owner.

Mr. Jones from Upper Saddle River. His shepherd dog broke a chain, the dog was found by a neighbor and kept in the garage. Upon notifying the police the dog warden showed up and took the dog away by threatening. Mr. Jones called the pound every day and was informed that his dog was not there. The dog was never produced and Mr. Jones plans litigation.

Mrs. Kordula in Woodcliff Lake lost a beagle. The chief of police kept the dog several days then turned it over to the warden. The chief saw an ad in the newspaper and informed Mrs. Kordula. She was unable to get her dog back. She had to threaten with humane society and police intervention to get her pet back several days later, incidentally in very bad shape.

I could relate several other incidents of a similar nature, one is likely to lead to a civil suit against the warden.

The small area where these reports originate is not very different from other sections of my State where very similar incidents occur with equal frequency. Since there are no important medical schools or biological laboratories in the area we suspect that these animals are taken out of the State. Surveillance of license plates of vehicles transporting animals in New Jersey and nearby States confirm this suspicion.

The pet owners of New Jersey are upset and frightened that they might lose a beloved member of the family. We urge you in behalf of thousands of families to enact legislation which will put an end to this nefarious racket.

Mr. POAGE. If there is no one else who cares to be heard or desires to file a statement, the subcommittee will stand adjourned.

(Whereupon, at 12:50 p.m. the subcommittee adjourned.)

(The following statements and letters were submitted to the subcommittee subsequent to the hearing:)

STATEMENT OF HON. EDWARD P. BOLAND, A REPRESENTATIVE IN CONGRESS FROM
THE STATE OF MASSACHUSETTS

Mr. Chairman and members of the committee, I appreciate the opportunity you give me to present my views in support of H.R. 12488, Chairman Poage's bill to regulate the transportation, sale, and handling of animals intended for research purposes.

Bills designed to improve the quality of care given to research animals have been considered by Congress for a number of sessions. Several different approaches, touching various aspects of the problem, have been discussed. H.R. 12488 and a number of similar bills attack the problem at an earlier point than do many of the bills considered in the past.

H.R. 12488 approaches the issue long before animals reach the laboratory, requiring the licensing of both animal dealers and research facilities buying from them, prohibiting research facilities from buying from any person except a validly licensed dealer, and authorizing the Secretary of Agriculture to promulgate standards governing the handling and transportation of research animals by both dealers and research facilities. This would have the effect of improving the quality of animals used for research, making it more likely that they will productively endure the research procedures to which they will be subjected. And it would make the stealing of pets for sale to research institutions risky and difficult.

Combined, these two effects would insure that the values involved in both scientific research and human love and care for animals are protected—even cultivated.

As you may have noticed, H.R. 12488 would establish a much lower fine for violation of the law than the other bills you are considering and has no provision for imprisonment.

It would, however, provide that if a research facility willfully violates a provision of the act or any of the regulations established, each Federal agency furnishing funds to it for research involving animals shall suspend all such payments, loans, or grants. The bill does, of course, provide adequate safeguards for a research facility accused of violation of the law and gives it the opportunity to file for review in court. This is, I think, a substantial improvement on the system of penalties established by the other bills and contributes greatly to its potential effectiveness.

Mr. Chairman and members of the committee, I urge that you favorably report this bill to the full Committee on Agriculture and to the House.

STATEMENT OF HON. WILLIAM T. CAHILL, A REPRESENTATIVE IN CONGRESS FROM
THE STATE OF NEW JERSEY

Mr. Chairman and members of the committee, thank you for the privilege of appearing before you in support of H.R. 12941. This bill which I introduced authorizes the Secretary of Agriculture to "regulate the transportation, sale, and handling of dogs, cats, and other animals intended to be used for purposes of research or experimentation, and for other purposes."

Last September hearings were held on similar bills and on H.R. 10743, which is identical to the bill I am supporting here today. Those hearings presented evidence of such appalling nature as to outrage anyone sympathetic to the extremes of animal suffering. Animals, many of whom were once dearly loved members of a family, are being kidnapped; transported in cramped, filthy crates where they are starved of food and water; sold to dealer after dealer in a highly organized distribution network which includes many States; finally to be sold by the pound at auctions to research laboratories and hospitals. The condition of these animals was touchingly described by Sheriff Mark Bodine of Monroe City, Mo.:

"I have had numerous complaints about one particular party in the county which we investigated. With one of my deputies, we went out there, and we found what is currently known as a horse trailer that was made double deck which contained dogs, about as many as they could cram in, which was parked about a mile beyond the road, back in the woods, which had been found by a squirrel hunter.

"My deputy went out and made the investigation, and he found that this was a very hot day, and there were dogs on top of dogs that were dead, and there were pans of water but because of the dogs being on top of the dogs, they could not get to them. And this equipment that they were in was all enclosed all but the rear end, which was wire mesh, at the rear end of it. One dog in particular was so crammed up into one corner with his teeth hanging in the wire. So there was no room for him to get around * * *."

The sheriff was questioned as to whether this was not a losing operation for the dealer since so many of the dogs were dead. The sheriff replied: "They could not be too much loss; they do not cost him anything." Cases of this practice are widespread. Frank J. McMahon, director of field services for the Humane Society of the United States reports that in Camden, N.J., pound employees were arrested on grand larceny charges. The employees were selling animals to laboratories the same day they were received at the pound, making recovery of a lost pet virtually impossible. The pound was in "one of the most unsanitary conditions I have ever seen," reported Mr. McMahon, and the dog tags identifying family pets were found hidden all over.

The extent of this crime is no less appalling than the crime itself. The Humane Society of the United States estimates more than one-half of the animals used in research are stolen. This amounts to 2 to 3 million dogs and cats lost and never returned. The profits in this growing racket are high. One dealer in Pennsylvania made \$700,000 in 1 year.

The reason for the large scale of these operations is the very great need of laboratories and hospitals for research animals. According to Congressman Resnick, research laboratories and hospitals receiving Federal money used 1.75 million dogs and over one-half a million cats spending from \$30 to \$50 million for the animals. Poolesville Animal Center of the National Institutes of Health spends over \$100,000 on dogs and cats. The University of Minnesota according to the testimony of a professor in their medical school has been using between 8,000 and 9,000 dogs a year for 18 years.

This is not then a situation of minor importance. The bill which I advocate here is not the result of a small group of fanatics out to rob science of needed subjects for valuable experiments. The purpose is, on the contrary, to regulate the means by which these animals are provided. The result of licensing animal dealers and inspecting the conditions under which the animals are kept would actually benefit research. Sick, dying, starved animals cannot be fit subjects for delicate experimentation. The researchers must be supplied with adequate animals and the animals who are such an essential part of this research must be given food, drink, and proper shelter.

This disturbing situation is not a matter for local control. The overstuffed trucks of miserable creatures carry their loads from State to State. States with laws that protect pet owners and guarantee an adequate supply of animals for research report as many offenses as other States. Penalties for offenses of cruelty vary from State to State. The penalty is usually a fine of under \$50, leaving the dealer free to return to his sordid business. The Federal Government must use its resources and powers to control these crimes. After all, the Federal Government, ironically, supplies much of the money for the research carried on in the laboratories.

I believe H.R. 12941 is the best bill to control this illicit and cruel business. The bill applies to not only dogs and cats, but also to other animals as guinea pigs and rabbits used in research who suffer equally at the hands of cruel dealers. The licensing of dealers is required, but the licensing of research laboratories purchasing the animals is not required. This clarifies which is a separate field of legislation—the use of the animals in laboratories, a field in which there is much difference of opinion.

Including licensing of laboratories would confuse the issue and jeopardize passage of the bill at the very least causing delay. The research carried on in these laboratories and hospitals is of vital importance. The bill is not aimed at hamstringing the creativity of scientists using the animals. The bill clearly indicates what is meant by humane care and provides for inspection at frequent intervals. Humane care of animals is the basis for the Federal licenses which is an essential element of the legislation. The bill provides that dealers found not maintaining humane treatment of animals will be prosecuted and their licenses will be revoked upon conviction. Thus the bill seeks to curb explicit offenses of cruel treatment, and prohibit cruel dealers from returning to their practices. Previous bills have not provided sufficiently for this humane treatment and in addition the Secretary of Agriculture's duties in previous bills are vague. H.R. 12941 directs the Secretary explicitly to take definite actions.

In summary, H.R. 12941 is an effective means of controlling an ugly crime, a serious offense against humanity rampant in the United States today. By requiring licenses for dog dealers on the basis of "humane treatment" explicitly described, by providing for revocation of licenses, by providing laboratories to deal only with licensed dealers and by directly stating the duties of the Secretary of Agriculture, this bill will combat an outrage of cruelty to civilized society.

STATEMENT OF HON. WILLIAM C. CRAMER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA

Mr. Chairman, I am here to testify in support of my bill, H.R. 12923, which makes dognaping and catnaping a Federal offense.

The theft of family pets, and their sale to medical laboratories, has become a national disgrace. It is an enterprise repugnant to the senses of any civilized society and the national conscience demands that legislation aimed at halting such illicit activity be enacted.

At the outset, let me assure this committee that I am not opposed to the proper procurement and humane use of animals for the purposes of legitimate medical research. We all recognize the need for this and are aware of the

dramatic advances that have been made in medical science and the number of human lives that have been saved because animals have been available for research.

What is deplored and what must be halted is the theft of family pets who are quartered in disgraceful conditions where they are ill fed, maltreated, and where no regard whatsoever is made for their health or comfort. Herded in such malodorous confines, like cattle on the way to slaughter, many of these pets starve or freeze to death before ever being sold. Others become so emaciated that in many instances they can only be sold by the pound.

Stealing a loved family pet is serious in and of itself. To subject these poor animals to the type of cruelty and disregard that I have just described is abhorrent.

In times past, when a family pet disappeared it could at least be presumed that the pet was being well treated by whoever found it or stole it. Today, the contrary presumption must be formed for the chances are that a lost pet is actually a stolen pet, is for sale to medical laboratories, and that it is being poorly treated in the process.

My bill is specifically designed to strike at this illicit interstate traffic in stolen pets. The bill authorizes the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats for research and experimentation.

The bill requires both research facilities and persons purchasing or transporting dogs and cats in interstate commerce to obtain a license from the Secretary of Agriculture. The bill also demands that these parties keep accurate records with respect to the purchase, sale, transportation, and handling of these animals.

A penalty of up to 1 year imprisonment or a fine of not more than \$10,000 is provided for those who violate the act.

STATEMENT OF HON. PAUL A. FINO, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Gentlemen, thank you for the opportunity to appear before you this morning.

I would like to speak in support of my bill H.R. 11002, identical to Mr. Resnick's bill H.R. 9743, which would regulate the transportation, sale, and handling of animals intended for research.

The issue has aroused a great deal of controversy. Heavy mail in many congressional offices indicates the intensity of feeling among both proponents and opponents of the legislation we are considering today.

Proponents argue that a high percentage of the dogs and cats used for research purposes in this country are stolen pets and that, this question aside, animals intended for research are cruelly abused in the course of transportation and while in temporary shelter. The number of animals stolen annually for sale to research facilities can be quibbled over, but it is becoming more and more difficult to deny the charges of brutality leveled at many animal dealers. From all parts of the country come newspaper reports of starving, thirsty animals, herded together in filthy facilities, in extreme discomfort—often in pain—from chains so short they cannot lie down and cages so small and crowded they can neither stand nor lie. Many dealers have, in fact, been repeatedly convicted for cruelty to animals; they remain in operation because State penalties are so light.

Opponents argue that the proposed legislation would be difficult to enforce and damaging to much medical and scientific research. While we can readily admit that as with most legislation there may well be difficulties in enforcement, I would like to counter their argument at several other points.

I seriously question whether the legislation proposed would be damaging to research. The bill as written would simply require research facilities purchasing dogs or cats or transporting them in commerce to be licensed by the Secretary of Agriculture, would prohibit them from purchasing animals except from a licensed dealer, and would require that they keep records relating to the purchase of animals. Mr. Resnick, the original sponsor of the bill, has already proposed that the section requiring licensing of research facilities be dropped because the purposes of the bill can be accomplished simply by requiring them to buy from licensed dealers.

The bill does authorize the Secretary to promulgate standards relating to the handling and transportation of animals by both dealers and research facilities. But, again, it has already been suggested that this provision be rewritten to

apply only to dealers. In any case, the bill specifically declares that this authority shall not be construed as authorizing the Secretary to set standards for the handling of animals during the actual research.

So the only provisions relating to research facilities are that they purchase only from licensed dealers and that they keep records of their transactions. This last requirement may be somewhat burdensome, but it can scarcely be interpreted as interference with the purposes or methods of research. Purchasing only from licensed dealers need not cut down the number of animals available for research for there are many other legitimate sources—and it is very likely to improve the quality of animals used in research, scarcely an objectionable result.

The main functions of the law would be, therefore, to make it a grave risk for dealers to steal pets for resale to research facilities and to compel them to treat the animals in their possession with a degree of decency.

This seems to me both reasonable and productive—for pet owners and research facilities alike. I advocate your support of H.R. 11002.

STATEMENT OF HON. CLARENCE D. LONG, A REPRESENTATIVE IN CONGRESS FROM THE
STATE OF MARYLAND

Distinguished chairman and members of this subcommittee, I am pleased to appear before you today to urge favorable consideration of my bill, H.R. 12295, to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation.

The purpose of my bill is twofold: (1) to outlaw the inhumane treatment of dogs and cats when they are in kennels and when they are being transported in connection with their sale to laboratories; and (2) to help bring an end to the stealing of dogs and cats sold to laboratories.

The treatment of some animals destined for the research laboratory in shocking beyond belief. How bad this treatment can be was exposed this winter in my district in Baltimore County, when Maryland State Police and agents from the Humane Society raided what was in effect a concentration camp for dogs. Portions of some notes taken by one of the raiding officers disclosed "Indescribably filthy conditions * * * dogs chained to small boxes, many too small to hold them * * * dogs have to lie in their own organic waste * * * far too many dogs to meet even the minimum standards of being humane or sanitary."

Many animals were able only to sit or lie down, and when others were freed from the crates to which they had been confined they were unable to walk. One crate contained two dogs that were completely immobilized upon their release because the crate was so small. A veterinarian who was in the company of the raiding party was outraged by what he saw: a scrawny beagle clawing and chewing at one of the piles of frozen entrails scattered in the yard; another dog licking desperately at a dish of water that had frozen.

One of the raiders lifted a piece of burlap on the ground and found a box containing the body of a dog which had frozen to death. The box had to be torn apart to get the carcass out.

Such are the details of one case in point. And, as you know from testimony provided this subcommittee last September, this incident is not isolated.

The traffic and money in research dogs and cats is staggering; in 1964, more than 1¾ million dogs and more than 1 million cats were used for research and experimentation at hospitals and laboratories receiving Federal funds; and \$30 to \$50 million were spent by these institutions for these animals. Clearly, the stealing of dogs and cats is a cruel, but lucrative, business.

The irony is that the Federal Government, as a major sponsor of medical research, encourages the traffic in stolen dogs and cats. For this reason, the Government should take leadership to require that dogs and cats used in research laboratories be purchased through legitimate means.

The Federal Government would take this leadership through enactment of H.R. 12295. This bill would require dog and cat dealers to be licensed by the Secretary of Agriculture, outlaw the purchase by a laboratory of any dogs and cats not licensed by the Secretary, and authorize the Secretary to promote the health, well-being, and safety of these animals by promulgating standards to govern the way in which they are handled and transported.

I should like to emphasize that this bill is designed to protect dogs and cats before they ever reach the research laboratory. It does not impose standards of treatment of these animals once they have arrived at the laboratory; nor do I think that legislation to that effect would be in the best interests of medical research. Experimentation with dogs and cats is vital to the progress of medical research—research which brings health benefits to countless millions. However, the research laboratories of the Nation should be able to obtain these animals through federally prescribed channels rather than be forced to use animals whose procurement causes grief to the pet lover and lines the pocket of the criminal.

STATEMENT OF HON. RICHARD D. MCCARTHY, A REPRESENTATIVE IN CONGRESS FROM
THE STATE OF NEW YORK

Mr. Chairman, my name is Richard D. McCarthy and I represent the 39th Congressional District of New York.

I realize that all of us here today are extremely cognizant of the alarming increase in the unscrupulous activities of "dognappers." Many articles have been written recently to bring this deplorable situation to the attention of all Americans.

I read with extreme horror and repulsion an article in the March 6, 1966, issue of the Buffalo Courier-Express of a former dog warden who lives in the district I represent and said he was serving mankind by providing dogs "for experimentation." When the former warden was arrested, the authorities found approximately 100 ill and neglected dogs in shacks and the corpses of about 50 dogs. In some cases, dead and half-dead dogs were housed, if you can call it that, in the same shack. The lack of any food and water was obvious to the authorities.

Mr. Chairman, I could continue at length delineating the atrocities which were described by the arresting authorities and SPCA agents. I feel that this is unnecessary, as I believe that we are all firmly committed to curtailing the inhumane transportation, handling, and sale of domesticated animals which are intended for medical research.

I, therefore, recommend legislation which would require dealers to be licensed and refusal to comply with this law would result in a fine and prison sentence. Only through these means can I see a hope for halting the "dognappers." A bill I have introduced, H.R. 12842, would bring about the desired end.

There have been those who have questioned whether Federal rules can be enforced against offenses which may have no interstate aspect. But Chairman Poage answered this when he explained that dealers "comb the streets, picking up strays and family pets. These animals are then stripped of any identification and removed from the area (generally across State lines) as soon as possible to prevent owners reclaiming their stolen pets and to get beyond the reach of State laws * * *."

The Federal Government is a major supporter of medical research. Consequently, I believe that it should be a supporter of humane and legal means of acquisition of animals for research. In so doing, legislation of the nature that I have suggested would in no way interfere with or prohibit the acquisition of animals for research and experimentation. Rather, it would insure that all animals acquired for research and experimentation were obtained from licensed dealers. This seems to me to increase the value of these animals to the researchers, as they would be healthy, well-fed dogs instead of half-starved, neglected animals that are not fit for research.

In conclusion, I believe that positive and meaningful legislation must be enacted by this Congress. Too many years have passed without substantive action on this urgent issue. Now, the public is demanding action and I strongly feel that it is our duty as their elected representatives to answer their call for immediate action.

I should like to include for the record articles describing the shocking conditions to which I earlier alluded from the Buffalo Evening News of March 7 and the Buffalo Courier-Express of March 9 and an editorial condemning this wanton cruelty from the Buffalo Evening News of March 9.

[From the Buffalo Courier-Express, Mar. 9, 1966]

VISITORS AND CALLERS SWAMP SPCA

The Erie County SPCA has been swamped with visits and calls from persons who believed their lost or stolen dogs might be among those brought to the shelter following a raid on a compound in the town of Eden Saturday.

Superintendent William J. Sullivan of the SPCA, at 205 Ensminger Road, town of Tonawanda, said that Monday night at least 300 persons visited the shelter.

"I have never seen anything like it," he said. "I had to assign a man to handle the traffic. Tuesday our telephones began ringing at 7 in the morning and our lines were tied up all day.

"Some of the people came here with tears in their eyes. Others wept when they learned their pets were not here. In all of the 31 years I have been with the SPCA, I have never experienced such a case."

None of the dogs was identified.

The dogs were seized by the SPCA, State police, and the Erie County Health Department in a raid on an animal compound at March and Shadagee, Eden.

HEARING SLATED

A former Eden dog warden, Leroy Rubeck, 55, of 8649 Hunt Avenue, Eden, was charged with cruelty to animals, a misdemeanor. A hearing is scheduled for 9 a.m. Saturday before Peace Justice Robert E. Maier.

Two SPCA agents, Thomas R. Collins and Anthony J. Bondamella, brought about 100 dogs to the shelter Saturday. Because of illnesses, three were destroyed at the compound.

Twelve of the dogs died en route to the SPCA. Fifty-eight of the dogs are still alive, but Sullivan said that they are all ill and in poor condition.

"We have had three veterinarians working with the dogs," Sullivan reported. "They are all being watched under the strictest of quarantine regulations. I am scared stiff their distemper and other diseases may spread to the rest of the shelter."

Another 70 dogs which were left at the compound by the SPCA had "disappeared," when authorities returned Sunday. Rubeck told officials that the Government had "picked them up."

"I don't know what government Rubeck was talking about," said Sullivan. "We are the only agency empowered legally to impound dogs in Erie County outside the city of Buffalo."

INQUIRY CONTINUES

Sullivan said that the SPCA is giving custodial care to the dogs, but the State troopers are making the investigation and bringing charges against Rubeck.

The State troopers assigned to the case are Calvin J. Tresch and Milton C. Bartlett of the Wanakah Barracks.

"We have had hundreds of calls at the barracks from dog lovers as far away as central New York," said Tresch. "One group even threatened to have a demonstration before the hearing Saturday.

"We are continuing our investigation in the hopes of uncovering more evidence through which we could place a stiffer charge. However, so far no evidence of theft of any other material which could result in another charge has been uncovered," he said.

The dogs at the SPCA are all breeds, ages, sizes, and shapes. All are in a nervous state. There are several beagles, one of which is blind in the right eye, officials said.

Collins pointed out one dog which resembles a boxer and said that it is a Tosa, which is commonly known as a Japanese fighting dog. Another resembled a Labrador retriever.

There were between 15 and 20 puppies.

IN REMOTE AREA

"I have just never seen anything in my life like that Eden compound," said Bondamella. "Probably the reason it was not discovered sooner is that the compound was in a remote section."

An agriculture subcommittee in Washington is conducting hearings on dog-napping legislation, regarding dogs being stolen and sold for research purposes.

[From the Buffalo Evening News, Mar. 7, 1966]

EX-DOG WARDEN IS CHARGED WITH CRUELTY TO ANIMALS—STATE TROOPERS FIND ABOUT 100 CANINES, ILL AND NEGLECTED, ON PROPERTY IN EDEN

A former dog warden, who said he was serving mankind by providing dogs "for experimentation," was charged with cruelty to animals Saturday after authorities found about 100 ill and neglected dogs in shacks in the town of Eden.

Leroy Rubeck, 55, of 8649 Hunt Avenue, Eden, pleaded innocent before Peace Justice Robert E. Maier, who released Rubeck without bail for a hearing next Saturday at 9 a.m.

State troopers, investigating a woman's complaint of a lost dog, found the ill animals and the corpses of about 50 dogs, in three shacks on March Road, Eden, property which police said was leased by Rubeck.

Agents of the Erie County Society for the Prevention of Cruelty to Animals took more than 50 dogs to the SPCA shelter, 205 Ensminger Road, town of Tonawanda.

Police and SPCA agents also found and impounded 25 dogs, identified by tags as belonging to Rubeck, on property owned by Robert E. Webster, 2767 Shadagee Road.

FIFTY DOGS BURIED

Rubeck, the town dog warden until 2 years ago, spent Sunday, on Erie County Health Department orders, burying the dead animals in a common grave near the shacks. He said the dogs died of "malnutrition and distemper."

Police and SPCA agents referred to "dognappers" in other parts of the country who sell animals to research agencies.

SPCA TURNED AWAY

"Apparently this spot was generally known in the town but nothing was ever done about it," said Trooper Milton C. Bartlett.

"The SPCA tried to investigate without a warrant once but was turned away."

"When I got there, I saw 20 dead dogs on a mound outside. I checked the shacks and found more dead ones with the living ones inside. There was no sign of food and the water pails were empty."

The troopers returned Saturday afternoon after Judge Maier issued a warrant.

Trooper Bartlett said he saw Rubeck and:

"I asked him about the dead dogs and he said heavy snow kept him from getting to the pile. He said he fed the dogs every day. He told me he was keeping them for experimental purposes and the Government owned them."

"THE WORST MESS"

Special SPCA Agent Tom Collins described the shacks in Eden as "the worst" mess I ever saw. It was indescribable."

"We left about 70 of the healthier looking dogs out there," Mr. Collins said, "and Sunday when we went back there were only three left."

Mr. Rubeck said the Government came and took the dogs.

A .22 caliber rifle was in one shack. "I had to shoot a lot of them," Rubeck said. "They had distemper and were dying."

Mr. Collins said the SPCA destroyed 25 dogs brought to the shelter from the Eden shacks. "They were in bad shape," he said.

He suggested that anyone missing a dog visit the town of Tonawanda shelter.

[From the Buffalo Evening News, Mar. 9, 1966]

INHUMANITY TO ANIMALS

The shocking conditions described by authorities who allege neglect of dogs kept in shacks at a town of Eden site give dramatic emphasis to the charges of animal neglect currently being aired by a House subcommittee.

Congress is hearing from pet lovers across the land who were alerted only last month to what Life magazine, in an appalling pictorial report, called the "lucrative and unsavory business" of "dognapping."

Witnesses before congressional hearings have confirmed reports of family pets snatched and herded into "animal concentration camps" where they are subjected to starvation diets, freezing conditions, and outrageous neglect.

Such abuse certainly warrants corrective action, with reasonable safeguards in the regulation and licensing of persons in the business of providing animals for necessary medical research.

This is not a matter deserving only Federal attention, however, and it is questionable whether Federal rules can be enforced against offenses which may have no interstate aspect. It is gratifying, therefore, that initiative has been started in Albany by two upstate legislators to take a searching look at the need for updating the State laws dealing with thefts and cruelty to animals.

STATEMENT OF HON. PATSY T. MINK, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF HAWAII

I would like to take this opportunity to thank the members of the subcommittee, and your distinguished chairman, the Honorable W. R. Poage of Texas, for this opportunity to submit a statement on H.R. 12488 and related bills.

These bills would authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats and other animals intended to be used for the purposes of research or experimentation.

Modern methods of medical research make extensive use of animals in testing and experimentation. Humans owe an enormous debt of gratitude to these results of research which have immeasurably advanced the frontiers of medicine and contributed so much to the relief of human pain and suffering.

However, there has grown up an unsavory side effect to this humanitarian endeavor. Family pets have been kidnapped by unscrupulous dealers, and animals destined for laboratory use sometimes have been kept in inexcusable misery and hardship by heartless persons seeking to extract the last ounce of profit from their trade.

The entire Nation was shocked recently by a national magazine's portrayal of the conditions under which some animals were kept in their journey to laboratories.

The bills you are considering today are an effort to remove this blot from our system of handling laboratory animals.

I am fully in accord with efforts to regulate this trade and further to provide that indispensable experimentation be carried out in the most humane manner. I know that all responsible researchers would applaud the imposing of measures that would effect these results.

Surely, anyone who ever has had a pet or who has been the beneficiary of that absolute devotion that a pet bestows on his human friends must also give his wholehearted support to such controls.

I appreciate this opportunity to reaffirm my own support of such controls and urge the subcommittee to give these proposals their best attention and consideration.

I respectfully request that this statement be made a part of the record of these hearings.

STATEMENT OF HON. WILLIAM S. MOORHEAD, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF PENNSYLVANIA

Mr. Chairman and members of the committee, I appear before you today to urge most vigorously your approval of legislation to stamp out the cruel and inhumane practice of "dognapping."

A child's pet is one of his most precious friends. Who can measure the grief a little boy or little girl suffers when his pet is lost or stolen? Who can measure the scars such incidents inflict on children?

It is particularly abhorrent when one discovers that this kind of suffering results from the greed of individuals who sneak through residential neighborhoods seizing children's pets to sell to medical research laboratories.

We have had some experience with this type of despicable activity in my own city of Pittsburgh. In one instance—at 1:30 in the afternoon—two men got out of a car in a residential neighborhood of my city, sprinkled dogfood on the sidewalk, then grabbed a little puppy "Sparky" when he quite naturally came up to sample the food. There have been cases too where dogs have been seized from fenced-in, locked yards.

I am advised by the Animal Rescue League of Pittsburgh that there has been a sharp surge in "dognaping" in our city since the first of the year, with some 50 such incidents in just the past month.

As a measure of the completely unscrupulous nature of this activity, the league advises that one organized ring of "dognapers" is using a truck with the rescue league's name painted on it in areas outside the city limits. It is obviously a highly organized operation.

I am pleased therefore to support the efforts of the Animal Rescue League of Pittsburgh which is urging members of Congress to back legislation now under consideration by the distinguished members of this committee.

It is quite clear to me that the bill you are now considering is aimed directly at "dognapers." It provides for the licensing of all animal dealers, sets up humane standards for the care of all animals on the dealers' premises and in laboratories. It provides penalties for violations—such as removal of Federal funds from laboratories which do not comply with the bill's provisions and for revocation of dealer's licenses if they are found guilty of cruelty or theft.

This legislation should go a long way toward the goal of ending "dognaping." I urge you to act promptly and favorably.

STATEMENT OF HON. F. BRADFORD MORSE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MASSACHUSETTS

I am delighted that this committee is meeting here today to consider H.R. 10680, which I introduced, as well as several related bills, to protect household pets from theft and sale to research facilities in interstate commerce.

I have long believed this matter should receive the full, thoughtful, and sympathetic consideration of the Congress and I am pleased that this committee is offering this opportunity for all interested persons to express their deep concern.

I know that most Members of Congress have had an opportunity to read the recent article in Life magazine which so graphically described this problem. Surely no one could remain unaffected by pathetic pictures of dogs so weakened by abuse and starvation they could not stand. Surely no one could forget the broad smiles of a young boy reunited with a beloved pet dog which had been stolen from his home.

I am confident that the medical research facilities of our Nation do not wish their research to be based on the stolen pets of boys and girls, nor can I believe that such thefts are necessary for the continuance of productive research.

I believe that my bill, H.R. 10680, offers a constructive and practical solution. It requires that each animal dealer and research facility be licensed by the Secretary of Agriculture. Such licensing would insure that only reputable dealers could participate in the sale, in interstate commerce, of research cats and dogs and would provide legal means, through fine, imprisonment and/or loss of license, to control those corrupt dealers who would mistreat defenseless animals or steal them from their homes.

My bill would empower the Secretary to promulgate standards to govern the handling and transportation of dogs and cats and would protect these animals from the hideous and cruel abuses made so clear in the Life article.

Most importantly, my bill would forbid the theft of household and family pets. To provide protection for pets which have temporarily strayed from home, my bill would require that each dog or cat be kept for a minimum of 5 business days—thus allowing families an opportunity to search for their missing pets.

I am confident that this committee will give careful consideration to the complex problems of our research facilities. I am sure that the committee members will agree with me that there is no need to base research on stolen family pets. I know the committee will consider carefully all factors and recommend to the Congress a constructive solution to this problem which has troubled animal lovers for many years.

STATEMENT OF HON. ALEXANDER PIRNIE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Mr. Chairman, members of the committee, the picture I am about to describe is not a pleasant one, but one which in my judgment, we cannot avoid. Imagine for a moment, if you will, a hospital in America in which the patients are placed on racks in tiers of four, with only one foot separating these racks. In a room of

medium size 35 patients are housed. Water pans are strewn on the beds, the floor is dirty, and the odor of excrement pervades the air. The patients are thin and diseased, and yet, there is no one in attendance to render assistance or perform the needed medical services. Shocking as it may be, hospitals of this type are today operating throughout the United States. They are called research facilities but instead of ministering to human needs, they have animals for patients. In fact, each year they house nearly 2 million dogs and one-half million cats. They do this often with facilities not unlike the ones just described. They do this without regard to humane practices and with no concern for the animals that provide them with a livelihood.

We would not allow practices of this type to take place in the hospitals of this country for one second. Yet, we have allowed them to exist in animal research facilities for years. The State governments have failed to accept the responsibility for insuring the protection and humane treatment of animals. We also in the past have refused to take action even though the protests of the backers of humane animal treatment have echoed through the halls of the Congress.

Finally these calls are being heeded. My response has been the introduction of H.R. 12361 which would regulate the transportation and sale of animals in interstate commerce. I support this measure because I feel that it represents a sound approach to a problem that needs our immediate consideration.

The February 4 edition of Life magazine did an outstanding job of revealing the horrible conditions that exist in the "animal concentration camps" run by "animal dealers." However, this is only half the story and while it is a shameful condition, the other half is equally as bad. The fact that research facilities often operating under grants supplied by the Federal Government exist without regard to humane practices is distressing to me.

However, before going into the problem of the research facilities in detail, I would like to comment on the situation relative to the dealers who supply these laboratories. As I see it, the parade of cruelty starts with the acquisition of the animals by the dealers and ends only when the animals are either put to sleep or die for one reason or another.

As you know, Mr. Chairman, the majority of the animals used in medical research are stolen. Testimony before this committee indicates that the figure is about 65 percent. Regardless of the exact amount, the fact remains that the stealing and sale of animals is today a big business. It has been stated that some dealers enjoy sales of over \$750,000 a year. I attribute this to three facts: First, the need for animals by science; second, the fact that there is literally no cost involved in procuring the animals since most are stolen; and third, no funds are expended for the care and upkeep of the animals, i.e., overhead. I know of no other business that operates without a cost and overhead factor and I see no reason why this one should be allowed to enjoy the benefits of a good profit without accepting the burden and responsibility that should accompany that again.

We all know there is relatively no care given these animals by the dealers. The facts supporting this assertion are well known and need not be further discussed here.

At the research facility the story is much the same. The animals are normally placed in cages too small to allow for movement and usually remain there for the rest of their lives. Rarely are they permitted to run, although most laboratories have sufficient space to allow recreation. The animals are chained by the neck and the chains are so tight that in many cases growth of the animal means that the chains become embedded in the neck of the animal. When the cages are cleaned out, the task is accomplished by a high-pressure hose and without removing the animal with the result that the animal is soaked and thus made more susceptible to disease. Little postoperative care is performed and virtually no pain killers are employed. Food and water are scarce. These are just a few of the practices followed every day at laboratories throughout the country. This disgrace must be corrected, and corrected now.

H.R. 13261 can and will do the job if enacted. It requires that all animal dealers and research facilities obtain a license from the Secretary of Agriculture as a condition of doing business. In order to qualify for licensing, the applicant must comply with certain humane regulations to be promulgated by the Secretary.

The bill further provides that the animals be marked according to humane standards and that records of all animals be kept by the dealers and research

houses. These provisions, along with the mandate that animals be retained for 5 days after acquisition, are intended to insure that lost or stolen animals be easily traced and recovered by their rightful owners.

In addition, this measure empowers the Secretary of Agriculture to enjoin violators of the act and provide proper penalties for noncompliance. This quasi-judicial machinery is supplemented by a judicial remedy which allows the Attorney General, upon notification by the Secretary of Agriculture of a violation of the act, to bring an action in the proper Federal district court to enjoin the violators and to enforce compliance with the act. I believe this approach essential if we are to achieve our goal of eliminating the illicit traffic in animals stolen from their owners and should serve as a deterrent to those tempted to violate this law.

This bill does not single out one group and say, "You are the wrongdoer." It is fair in application and universal in approach. It deals with the whole problem, not merely half of it. It is a strong piece of legislation which will go right to the heart of the problem. I urge the committee to support this measure in order that animals which are so much a part of our American life will be afforded the protection and treatment they deserve.

STATEMENT OF HON. CHARLOTTE T. REID, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ILLINOIS

Mr. Chairman, let me first say that I appreciate this opportunity to present my views to the Subcommittee on Livestock and Feed Grains today, and I wish to commend you for conducting this inquiry into a subject which certainly needs to be fully investigated. Many people in my congressional district have been deeply shocked, as I have, by recent disclosures of unethical, often illegal, and frequently inhumane traffic in stolen family pets and other research animals—disclosures which seem to confirm a situation hinted at for some time. It is something which we cannot in good conscience continue to ignore.

It has always been my particular philosophy that Federal legislation should not be sought when a problem may be effectively solved by other means, and I know that many States have already taken steps in an attempt to control the bootlegging of dogs, cats, and other animals in this way. My own State of Illinois, for example, has laws dealing with the licensing of pet shops and the humane acquisition and sale of animals. But I am aware, also that there are broader implications which transcend State lines, for it is my understanding that illegal animal bootlegging is generally done across State boundaries beyond the reach of rightful owners and State laws. That is why these hearings will serve a very useful purpose, for they will focus attention on the abuses of the present system and permit us to rationally evaluate the need for further regulation.

Every family should have the right to own and love a family pet; to be free from the fear of unprincipled invasion of this right. Compassion for animals is a prominent quality of our civilization. Yet, we have little defense when this compassion goes unrespected by those who would reject it for personal gain. Therefore, I join with the many other Americans who have already contacted your committee in expressing the hope that an equitable solution may be found to this unsavory problem—one which will not only protect the rights of pet owners nad prevent inhumane handling of experimentation animals through questionable channels, but will still facilitate an equitable and humane method for providing needed research animals. If your committee can contribute toward this goal, you will have performed a needed and valuable service.

STATEMENT OF HON. HERBERT TENZER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Mr. Chairman, I appreciate this opportunity to submit my views on the proposed legislation to regulate the transportation, sale, and handling of dogs, cats, and other animals intended to be used for purposes of research or experimentation.

There has been growing public concern with the large-scale thefts of dogs and cats for sale to research laboratories and hospitals. There can be little opposition to the view that deliberate cruelty to any living creature must not be tolerated,

and this is the view which underlies the recent activity on behalf of Federal legislation in this field. I join those who have voiced their strong opposition to the abuses which this committee has heard testimony about and the illegal transportation of animals in interstate commerce for profit.

I have been associated for many years with health organizations concerned with encouraging and assisting medical research, and last year I was one of the five House Members to sponsor the 1965 Regional Medical Centers Act to combat heart disease, cancer, stroke, and other major diseases. I support expanded Federal assistance to medical research so that we may attack these dreaded killers with the full strength of our national resources. I oppose any legislation which would unnecessarily hamper the medical and scientific research dedicating to freeing men and women from pain and misery and dedicated to realizing a fifth freedom—freedom from illness, disease, and disability.

But on the issue of regulating the transportation and sale of animals intended for research and their care during this period, there is no question of unnecessary hampering research. Theft of household pets for any purpose is illegal, and the brutality afflicted upon animals by some animal dealers is shocking and morally repugnant. Moreover, the situation is one which cannot be dealt with at the local level, because the interstate transportation of animals and the theft and sale of household pets for research purposes is part of a national operation which has been able to make large profits from an unlawful activity.

Legislation to regulate the sale and transportation of animals intended for research is desirable, and I add my support to the distinguished chairman of this Subcommittee on Livestock and Feed Grains of the House Agriculture Committee, Congressman W. R. Poage, who has introduced H.R. 12488 to eliminate abuses in the procurement of animals for laboratory use. This legislation is in keeping with the objectives I have mentioned and will effectively control the practices which have aroused so much public awareness of the scope of this problem.

Mr. Chairman, I thank you for this opportunity to express myself on a matter of great concern to the residents of the Fifth Congressional District, New York, as well as to many persons throughout the United States, who have written to their Representatives and to the committee supporting this legislation and urging congressional action. I sympathize with their views, and I believe that Congress should act now to answer their call for effective legislation.

STATEMENT OF THE AMERICAN MEDICAL ASSOCIATION

Mr. Chairman and members of the subcommittee, the American Medical Association supports programs which protect pets from theft and insure the humane care of laboratory animals. We deplore any improper trafficking in experimental animals. We deplore any substandard care.

We are aware of increasing publicity concerning this subject matter. While pet stealing and improper care of dogs and cats by animal dealers may not be widespread, we firmly agree that any improper practices which do exist in the procurement of experimental animals should be corrected.

Because of our interest in this subject matter, we are pleased to have the opportunity to present the association's views on H.R. 12488.

This bill would authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats and other animals intended to be used for purposes of research or experimentation. The regulation of these activities is stated in the bill to be necessary in order to protect the owners of dogs and cats and other animals from theft of such pets, and to prevent their sale or use for purposes of research and experimentation. We do not believe, however, that this legislation should go beyond the elements necessary for the accomplishment of this goal. Accordingly, we urge that the following two aspects of H.R. 12488 be modified:

1. LICENSING OF RESEARCH FACILITIES

H.R. 12488 would require research facilities to obtain a license from the Secretary of Agriculture upon demonstration of compliance with standards promulgated by the Secretary. We view this provision as unnecessary and unwise.

The particular intent of the bill is to prevent the reprehensible theft and inhumane acts in procurement of animals for research purposes.

To achieve this goal, it is proposed that dealers involved in the procurement and transportation of animals be licensed in accordance with specified standards. We have indicated our support for the intendment of this provision. By extending licensing requirements to the research facility, however, there is, at least by implication, the suggestion that such facilities are linked to pet stealing or inhumane treatment.

Such is not the case.

It is grossly unfair to "tar with the same brush" these research laboratory facilities and the nefarious animal dealer whom we all wish to eliminate. The standards of animal care in research facilities in the United States are generally high. The voluntary activities of groups or associations which are concerned with animal research, such as the National Society for Medical Research, the Animal Care Panel, the Institute for Laboratory Animal Research, and the American Association for the Accreditation of Laboratory Animal Care, are effectively accomplishing the goal of maintaining good animal care in the laboratory.

The biomedical research community has achieved high standards with respect to treatment of laboratory animals, by processes of self-examination and voluntary regulation. As examples of just two laboratory animal facilities, we are submitting photographs taken at our own Institute for Biomedical Research and at G. D. Searle & Co., a pharmaceutical manufacturer in Skokie (exhibits A through G) :

(The photographs submitted may be found in the files of the committee.)

Similar high standards of housing and care can be found at other research institutes, medical schools, or commercial laboratories. We urge members of this committee to view for themselves the care and handling of laboratory animals at such research facilities and invite you to visit and inspect our own institute at any time.

It may be of interest to the committee to know that insofar as dogs are concerned, it is becoming increasingly common practice for long-term experimentation to utilize only an inbred strain of a particular breed which is whelped and raised specifically for research purposes. These dogs cost approximately \$100 apiece. Entirely aside from humane considerations, it is simply sound economics as well as good science that these animals be accorded the best possible care.

We would make one further observation. The provisions in H.R. 12488 concerning the licensure of research facilities and the setting of standards of care therein have, in our opinion, no reasonable relation to the stated purpose of the bill to guard against pet stealing. We urge that those provisions of H.R. 12488 which pertain to the licensing of research laboratories and setting standards of care therein, be deleted from the bill.

2. INCLUSION OF ALL VERTEBRATE ANIMALS

In its present form, H.R. 12488 would regulate the transportation, sale, and handling, not only of dogs and cats, but also "other animals." "Animal has been defined as any vertebrate animal. This definition, then, would include mice, rats, guinea pigs, hamsters, other rodents, etc. Again, we suggest that this provision has no reasonable relation to the purposes of the legislation, and recommend that it be deleted.

Mice, rats, guinea pigs, etc., are rarely pets. In any event, certainly no problem exists with respect to the theft of such animals. Almost all rodents used in research are obtained from a few national breeding laboratories which supply genetically pure inbred strains. Care of these animals is excellent—at the breeding farm, during transit, and at research laboratory.

The inclusion of "other animals" in H.R. 12488 is particularly burdensome in that it specifies that they must be "marked or identified" and that records be kept concerning their sale, purchase, transportation, and handling. While this would impose some difficulty with respect to dogs and cats, it could impose overwhelming difficulties with respect to mice, rats, etc. It is estimated that for every dog used for experimental purposes, 10,000 mice are used and that last year alone, approximately 30 million mice were utilized in biomedical research.

The regulation and recordkeeping required for this large number of animals would entail large expenditures of time and money and could impede research efforts. Further, these regulations are, in our opinion, simply not necessary, for the protection of rats and mice. We do not believe that rodents, for example, need be accorded the measure of safety sought to be granted cats and dogs. Accordingly, the American Medical Association recommends that the phrase "and other animals" be deleted where it appears in H.R. 12488 so that the bill applies only to dogs and cats.

In summary, for the reasons stated, the American Medical Association supports the purposes of the provisions of the bill which afford protection to owners of cats and dogs from the practice of pet stealing. The association urges, however, that the provisions with respect to the licensing of research facilities (and the setting of standards), be deleted. We further urge that the bill be restricted to cats and dogs, and not include other vertebrate animals.

STATEMENT OF THE ASSOCIATION OF AMERICAN MEDICAL COLLEGES, BY ROBERT C. BERSON, EXECUTIVE DIRECTOR

The medical schools of this country, which constitute the institutional members of the Association of American Medical Colleges, strongly support the purposes and intent of this legislation. The theft of pets for any purpose is utterly deplorable, there is no excuse for the inconsiderate treatment of properly acquired dogs and cats, even when the purposes for which they are being transported or sold is in the public interest. We believe flagrant abuses are uncommon, but it seems quite appropriate for the Secretary of Agriculture to have the authority to license dealers, to promulgate humane standards to govern the handling and transportation of dogs and cats, and to promote their health, well-being, and safety during their transportation, purchase, and sale.

We do have reservations about two provisions of this legislation as it now stands.

We believe including "other animals," defined as "any vertebrate animal," is unnecessary and would create a very large and complex problem. This sweeping term would include small animals, such as rabbits, rats, mice, guinea pigs, reptiles, and fish. These small animals are rarely, if ever, kept as pets. Large numbers of them are appropriately used in research and testing, most of them are specially bred and raised for the purpose and handled in a considerate and humane manner during their transportation for economic as well as humane reasons. Including them in this program would greatly add to the complexity and cost of administration with little benefit.

We also believe it is unnecessary and unwise for the Secretary of Agriculture to license research facilities. The Department of Agriculture has had but little contact with these complex institutions conducting health-related research, while other departments of the Federal Government, particularly the Department of Health, Education, and Welfare, have gained a wealth of experience through longstanding and very intimate relationships. If this act simply made it illegal for research facilities to purchase dogs and cats except from licensed dealers, we believe the purposes would be achieved.

Markedly accelerating the present rate of improvement in the handling of laboratory animals by and in research facilities could be achieved by a number of constructive steps. They are not included in this legislation and would involve quite different matters, such as: (a) administration by a Federal department experienced in dealing with research facilities and responsible for the Federal role in medical research, (b) matching grants for the improvement or construction of facilities for the care of laboratory animals (c) explicit authority to support the training of personnel to supervise the care of these animals, (d) a Federal role in the setting of standards and the encouragement of accreditation of facilities and programs for the care of these animals, and (e) encouragement of every institution conducting research and using animals to establish appropriate mechanisms for enforcing policies concerning their care and use.

We believe this legislation is in the public interest and that it can most effectively accomplish its purposes if it is focused where a problem exists—the theft, sale, and purchase of dogs and cats and their inconsiderate or inhumane treatment in the process.

STATEMENT OF THE AMERICAN PUBLIC HEALTH ASSOCIATION

The American Public Health Association appreciates this opportunity to comment on the proposed legislation concerning care of laboratory animals under consideration by this committee. As a public health organization we are interested in any proposals that would vitally affect the health of the American people, which is influenced by many aspects of our society, not the least of which is scientific research. Our membership includes talented scientists as well as many of the practitioners who bring to the patient and to the community the application of research findings. These members have had opportunities to become aware of the contribution that has been made to American health by the study of laboratory animals. Certainly we wish to support practical measures to protect the health and comfort of animals for experimental purposes. We consider that measures undertaken to improve the care of laboratory animals will be important in their influence on the health of the American people to the extent that they basically affect biomedical research or the climate in which it is performed. It is essential that these measures be conceived and developed along lines that will be salutary for the continued progress of research and for the well being of the American public.

We are all aware of the great debt we owe research scientists for their findings which have resulted in the protection of human health and the prolongation of life. We place great hope in the current research efforts to find the causes, prevention, and cures for cancer, including leukemia, heart disease, stroke, and other crippling and killer diseases. Since there are obvious limits to the kinds and extent of experimentation that can use human subjects, this life-saving and health-protecting research depends to a vast extent upon laboratory amounts.

The scientist whose humane objective is the protection of health and the extension of life deserves our help, particularly since so much that is important to us in the health field depends on the success of his work. Consequently we believe that consideration of improvements in the supply and care of animals for laboratory use should be weighed for their contribution to (1) the essential role of biomedical research in protecting health and prolonging life, and (2) the essential role of the laboratory animals in this research. Any abuses of animals or shortcomings in their care can best be modified in this context.

As research has expanded in recent years so, inevitably, has the scientists' need for laboratory animals. The increase in use of animals in experimentation has brought with it some problems which are akin to the shortages of manpower, facilities, and funding in other health areas as well. These are the kinds of problems we find in almost every area of American public health today and they are problems with which members of our association are very familiar. The demand for animals, in some instances, has exceeded the ability to train people to supervise their care and the capacity to build the structures in which they can be more adequately housed.

The animal resource is a valuable one and, in many instances, an expensive one. Animals for research purposes should be healthy and clean, in adequate supply, and of an appropriate species. Quite apart from the humane considerations, it is inherent in the precise scientific use of these animals that the subjects be supplied in good condition and that the circumstances under which they are kept not jeopardize their health. Conditions of crowding, aside from humane considerations, may lead to illness in the animal colony, or if illness comes speed the rate at which disease travels through the animal community. Good nutrition, clean water, cleanliness in the general care of the animals and their surroundings, proper waste disposal, sunlight and fresh air, or adequate ventilation, sufficient exercise—these are basics of good care which concern those people whose main interest is in a healthy laboratory specimen for the purpose of accurate research.

The expansion of research, increase in demand for animals, and the fact that animals carry a price tag has led to these difficulties: first, an inability to keep pace in training animal care personnel, providing adequate facilities, and updating knowledge about laboratory animals, and second, the activities of unscrupulous dealers in animals whose only interest is profit, whose motive is greed, and curtailment of whose activities is the aim of animal lovers and health-oriented groups simultaneously.

To meet the first problem, of failure to advance as rapidly in the area of laboratory animal care as we have in the techniques of human disease research, we need such approaches as providing funds for training more veterinarians and animal caretakers; building better animal care facilities; and conducting research on improved methods of using and caring for animals, developing useful animals strains that more precisely mirror the human condition that is being studied, and preventing disease in animals. Proper care of laboratory animals will involve a proper balance of all these approaches. As in so many areas of health, it is not certain a priori which technique will prove most helpful. It is conceivable that the development or investigation of alternate strains to the animals now most commonly used will be very important. The use of smaller or more docile strains, for example, could have an obvious effect on the size and type of facilities and care needed.

As in all program areas, effective results will rest on the quality of personnel available for the task. To this end there is need for an increase in the number of trained veterinarians and those skilled in animal care to be involved in putting some of these recommendations into effect and articulating for us what other measures are needed.

The counsel of the research scientist and the animal care specialist should be heeded in formulating any legislation and we appreciate the opportunity this committee is offering for such counsel and related comments on this sensitive and important matter.

It is essential that we keep clearly in mind who is the culprit in the mistreatment of animals. It is not the research scientist whose professional pride and competence, habits and attitude of compassion, and respect for the value of his animal resource deter him from mistreatment, waste, or inflicting unnecessary pain. The culprit is the pet stealer whose greed drives him and whose act makes him vulnerable to punishment by enforcement of laws against theft. The culprit is the unscrupulous marketer of animals who cheats on proper care in order to enlarge his profit. An accreditation process, such as that being developed by the American Association for the Accreditation of Laboratory Animal Care, may be a way of coping with this problem. The culprit is ignorance and inability. Wider use of animal care guides, upgrading the vocation of caretaker, and more training programs should help solve these problems.

Each of these proposed solutions is directed at improving animal care in a way which will strengthen biomedical research. This is the approach that the American Public Health Association endorses. Avoided and rejected should be any changes that are at the expense of the research effort—changes which hamper the research investigator, subject him to excessive recordkeeping, or rest on needless interference or directives concerning research techniques.

The subject which is finally and essentially at issue here is human health. In connection with legislation now before this committee, namely H.R. 12488, we question, therefore, the wisdom of placing a regulatory function affecting health research in the Department of Agriculture, nor can we see the desirability of the Department of Agriculture licensing research facilities. Although the proposed legislation specifically disavows authority to the Secretary for setting standards for the handling of animals during the actual research or experimentation, it does authorize the Secretary of Agriculture to promulgate standards for the handling of animals by research facilities otherwise. It also provides for recordkeeping with regard to the handling of animals "as the Secretary may prescribe."

The primary competence of the Department of Agriculture is not health research. This legislation is in essence and in its consequences a piece of health research legislation. As a public health organization, we feel it would be unwise organizationally and in principle to take the action which is proposed here. What is requested is a piecemeal effort, possibly harmful in its effect, and completely inadequate to meet the larger problems which we have attempted to set forth for your consideration.

These problems are of tremendous importance. Research on laboratory animals serves as the link between the inspiration of the research on drugs, medicines, techniques, and devices must be adequately tested and the course of disease must be studied in animal subjects if we are to continue progress in combating disease. We hope this statement may be of some value in providing a perspective for improving laboratory animal care and at the same time advancing the research effort so important to the health of the American people.

STATEMENT OF MADELEINE BEMELMANS, PRESIDENT OF THE SOCIETY FOR ANIMAL PROTECTIVE LEGISLATION

Mr. Poage and members of the committee, on behalf of the Society for Animal Protective Legislation. I strongly urge your prompt and favorable action on H.R. 12488. The widespread mistreatment of animals by dealers and in laboratories can be curtailed only by appropriate legislation.

The tremendous demand for research animals, stimulating the greed of unscrupulous dealers all over the country, has resulted in atrocious suffering—animals starved or frozen to death, animals too weak to move, animals kicked and man-handled. These are not vague examples of isolated cases. The cruelty has been amply, repeatedly, and irrefutably documented.

My own personal experience has also convinced me of the need for compulsory humane standards to govern the care of all species of animals in laboratories. Here again, much suffering, which has nothing to do with the experiments themselves, could be prevented. I have seen emancipated, cowering dogs, diseased cats, monkeys without food or water, rabbits and mice with skin raw from mite infestation, rats piled on top of each other for lack of space. Neglect from ignorance or callous indifference, rough handling, and a punitive attitude toward animals whose behavior stems from fear are all too prevalent.

It is the responsibility of the Federal Government, which pours seemingly inexhaustible sums in research, and of the individual taxpayer, who, willingly or unwillingly, must supply these funds, to insist that animals destined for experimentation receive decent treatment. Profit-taking in misery should not be condoned nor encouraged.

STATEMENT BY CLARENCE B. FOSTER, M.D., SOUTHERN PINES, N.C.

I would like to give my viewpoint in favor of this very fine bill introduced by Congressman Poage.

As a physician I am interested in continuing research—research that involves the use of animals in a manner that may save human lives and help to eradicate illnesses and to give us information on important surgical techniques.

As a family man I am interested in pets. I am interested in animals as pets because of their aid in the emotional development of children and because of the important place they play in family life.

I am interested as a human because decency and kindness practiced toward dumb animals is a very good training for decency and kindness practiced toward other human beings.

I think that my observations in this regard might reconcile the viewpoint of the three factors above mentioned—that is my viewpoint, as a doctor, as a family man, and as a human being. It is with this in mind then that I will combine my remarks in regard to the bill mentioned.

First of all, in going over information that has been available in regard to cruelty in handling animals, it would appear to me that a great wastage is being practiced. At the same time that there is a shortage of laboratory animals, we find many dying on arrival at hospital facilities or in too poor a condition to be worked on. Some animals eventually succumb, some are salvaged for future use. At any rate the great wastage that is associated with cruelty in handling animals, if eliminated, would increase the supply of those available for experimental purposes. If, therefore, one be coldblooded and realistic, he would feel impelled to vote for some kind of legislation which would eliminate this loss and thereby give greater opportunity for the research specialist in this field.

As a family man, I recall being brought up with pets, both dogs and cats, and I have observed the effect on other families. Pets introduce a sympathetic attitude—one leading to better understanding of the growth and functions of animals and humans. They also exist as an outlet for affection and a provision for security. This of course would particularly apply to children. I am convinced that the child who has never known a pet has missed a great deal.

It also applies to grownups. In fact, in many families pets take the place of children after they have grown up and gone away to live separately. It also includes dogs that are used for protective means in the case of couples who are separated by long distances from neighbors, and those that are used for aiding people who are blind. Therefore, from the standpoint of a family man, I would

feel that every effort should be made to develop legislation which would increase our respect for these animals and protect them from accidental harm and intentional cruelty.

Lastly, I speak as a human being. It has been my observation that a person who practices kindness toward animals is a person whom I want to know further and probably is one in whom I could place a great deal of confidence. I have noticed invariably, also, that a person who will misuse dumb animals will misuse their fellow beings. These people I never try to get close to, and avoid them as far as possible. Now we may argue that some people are mean anyway and will vent their spite wherever possible. However, I am under the impression that if they had had associations with animals and with other humans younger or weaker than they, and they had been obliged to treat them with respect and kindness, that some of this would have rubbed off on them and they would be better people for it. I am greatly concerned that the proper type of regulative and protective legislation should be passed for animals who fall into the category of pets and for those used in protective situations.

To summarize, I appeal to the committee as a physician, interested in providing the proper animals for research; as a family man interested in the value of pets and the emotional life of children as well as adults; and as a human being interested in the development of kindness as practiced to animals. I beseech you to seriously consider and vote favorably for this legislation which has been embodied in H.R. 12488 and sponsored by Congressman Poage.

STATEMENT OF THE MARYLAND STATE VETERINARY MEDICAL ASSOCIATION ON ANIMALS CARE LEGISLATION

Veterinary medicine is a healing arts profession based on scientific disciplines. While the majority of today's veterinarians are privately engaged in the practice of diagnosing, treating, and preventing diseases of domestic animals, about one-third are found in teaching, research, and public health activities. Veterinarians are engaged in research activities that are directed toward the alleviation and prevention of both human and animal disease. They are also responsible for the direction of programs in laboratory animal medicine. These programs include the total care of animals used in laboratories including prevention and treatment of disease, assuring proper nutrition, and good management.

As a professional group, veterinarians receive intensive academic training in the basic sciences, clinical medicine, and forensic medicine. They are individually licensed by appropriate governmental subdivisions to perform professional services and render objective opinions regarding animal health.

Those entering the veterinary profession are motivated by an instinctive feeling for the welfare and well-being of animals. This basic motivation is a guiding force throughout a veterinarian's career, whether it be private practice, teaching, or research.

As responsible members of society, veterinarians are naturally concerned with the general welfare of man, and we are proud of the contribution which our profession has made to society. Our interests and responsibilities include a concern for an adequate and wholesome food supply for all people, the protection of people from zoonotic diseases, and the health and well-being of all animals; whether they be pets, work or sport animals, or animals used for biomedical research.

In the course of progress, man has acquired both material goods and social precepts. Not the least of these has been man's increasing awareness and concern for his fellows. It is the great regard given to the dignity and potential of man that forms the solid public support for medical research.

Mankind has reaped a vast number of benefits from research resulting in the amelioration of suffering and the saving of lives. Much of this research has been dependent upon the utilization of experimental animals as models for the study of diseases, and also for the testing of drugs and biological products.

Both man and animals have benefited from animal experimentation in research. In order to continue the battle against sickness and suffering of man and animals, veterinarians are concerned that animal experimentation not be impeded. The use of experimental animals for medical research, and a concern for the welfare of animals used in such studies are not mutually exclusive. In fact, the very opposite is true. As veterinarians, we are anxious that research subjects receive

the best possible care and humane treatment. The better the housing, health, and care given the experimental subject, the more precise and valid the research findings become.

The veterinary profession recognizes that it is in the public interest to assure the availability of the highest quality of experimental animals to support essential biomedical research. Every effort should be made to encourage the breeding of animals programed for specific research needs. It is scientifically necessary and economically feasible to produce rodents and rabbits of known genetic background under hygienic, uniform conditions. It is equally desirable to breed, rear, and make available dogs and cats of known characteristics for research needs.

We feel that the scientific community, of which we are a part, and the American public, whom we serve, should support programs designed to accomplish the following:

1. To make sure that an adequate share of the research dollar is specifically earmarked for animal production, animal facilities, and for professional staffing, including veterinary care.

2. To promote research and training in the veterinary specialty of laboratory animal medicine and to encourage the maximum utilization of veterinarians trained in this specialty.

These proposals are not restrictive of progress. In fact they will enhance medical research. We extend our cooperation in the formulation and execution of legislative programs designed to accomplish the above aims.

STATEMENT OF ANITA T. MONCLOVA, FOUNDER AND DIRECTOR OF NATIONAL PET REGISTRY, BROOKLYN, N.Y.

Mr. Chairman and members of the committee, I submit this testimony on behalf of National Pet Registry and I represent almost 200 subscribing pet owners.

In June 1965 my show toy poodle and two of her puppies were stolen from my car in broad daylight in a very busy shopping area of Brooklyn, N.Y. I spent more than 2 hours making the report to the police only to be told that they really could not do much for me because if my dogs had collars and tags on, surely by now they would be removed and unless I could give the captain something for his men to look for it would be useless for him to send them out. I asked him what would he suggest. He said one shaggy dog looks like another to my men, but if your dogs were tattooed we would have something positive to look for.

Words could not express how completely helpless I felt at that moment. I was not aware of the big business being conducted by dog dealers, so I was sure my pets were still somewhere in the neighborhood. I posted a large reward and kept the area under surveillance almost around the clock with the aid of my friends. I soon got some action on my reward.

To make a long story short, I recovered all three of my pets through the diligence and persistence of my friends and myself. It was during my disastrous nightmare that all this before us today came to my attention. I feel God was very good to me and my pets. I vowed at that time that something positive must be done to stop this needless suffering to both the pets and pet owners. It took me from June to November to find someone to tattoo my pets so I would have positive identification if this loss would ever happen again. I couldn't believe such a simple unique system had not ever been implemented before so I said there is no time like the present and that was the birth of National Pet Registry. I am in full support of any legislation to protect family pets and the abuses as presented in testimony before this subcommittee, but no provision has been made in any of the bills to say when a pet is considered stolen. Pets can be stripped of their identity but if they were permanently identified by means of tattoo and registered they no longer can be considered strays. There are laws dealing with receiving, harboring, and selling stolen property. The only thing that makes the traffic in stolen pets so easy to get away with is the fact that these pets are not identified permanently or positively.

In most communities in this country there are humane societies that pick up strays and hold them for the required 5 days and if these strays are not claimed within the required period they are deemed by law the property of the possessor to be disposed of as the possessor sees fit.

National Pet Registry has devised a unique solution to plug up this loophole in the law that leaves unidentified pets fair game for unscrupulous pet dealers and their "no questions asked" customers.

From testimony submitted I already see that there are other people who have joined the ranks of pet registries; namely, Dr. Timrud, from Princeton, N.J. I feel that his proposed registry is most inadequate and does not supply the needs of the pet-loving public. The purposes of National Pet Registry are as follows:

First, to permanently identify by means of tattoo on the rear right leg near the groin, all pets regardless of pedigree or monetary value;

Second, to record and register for life of pet all pertinent information and issue ownership cards for each pet identified;

Third, to aid active subscribing pet owners in the recovery of their lost pets;

Fourth, to have carefully screened and trained National Pet Registry authorized agents of high moral character, in every city in the Nation to apply the tattoo and assist subscribing pet owners in the event of loss;

Fifth, to advance in every way possible the development and interest in National Pet Registry and its purposes; and

Sixth, to support and aid the advancement of legislation Federal, State, local, or municipal for the protection of all pets against theft.

I am a breeder of purebred toy poodles. I am also a member of the William Penn Poodle Club of Pennsylvania. I must deem any bill that does not provide for the recognition of National Pet Registry or other registries in the business of permanently identifying and registering pets by means of tattoo as most inadequate.

I would like to amend section 2, paragraph (g) of the Resnick bill No. H.R. 9743 to read as follows:

“(g) The term ‘dealer’ means any person who for compensation or profit delivers for transportation, transports, boards, buys or sells dogs or cats in commerce.”

The reason why I believe that all dealers should be legislated is because there are many injustices to pets by dealers, pet shops, wholesalers of purebred pets that will equal in many instances the testimony that the Humane Society has presented referring to the treatment of animals transported by dealers for research. I believe that breeders who breed just one litter a year, who also may sell the puppies should not be considered a “dealer” under the terms of this bill. In my opinion, they are fanciers.

I would like to amend section 9 of the Resnick bill H.R. 9754 to read as follows:

“No dealer shall sell or otherwise dispose of any pet by means of tattoo in the recognized area (right groin), or any pet that may bear a scar in the recognized area suggesting that the tattoo has been tampered with.”

I believe that pet registries should be regulated right along with dealers and laboratories so that the application and the coding systems will be identifiable to protect the subscribing pet owner from unscrupulous pet registries. Each pet registry should obtain a license from the Secretary in accordance with such rules and regulations as the Secretary may prescribe to insure that all persons dealing with pets will know what to look for, where to look for it, and who they should notify if they should find it (tattoo). In this way only, will anyone know when a household pet is a stolen pet and our tattooed and registered pets will have protection.

There is another reason why registration should be regulated. The possession and the use of tattoo equipment carries a tremendous responsibility, a responsibility as great as possession of a gun. True, tattoo equipment could not kill you, but it could very easily create a social disaster if this equipment was allowed to get into the hands indiscriminately of persons of low moral character with no moral responsibility whatsoever. For instance, teenagers at wild parties may think it a great joke to tattoo some form of obscenity on the person of another while under the influence of drug or drink. These tattoos cannot be removed other than by plastic surgery. I would not want to see this happen. Since the advent of these hearings there has been a company who developed the equipment that I use and in its greed it has attempted to flood the market with this piece of equipment so that anybody, anywhere, could avail himself to tattooing equipment, and I must caution you to the great responsibility of the person in possession of this equipment.

In New York City tattooing is illegal. The reasons why it was declared illegal is because they could not control or regulate the morality of the tattooers.

I enclose herein with this testimony a copy of this company's literature advertising this tattooing machine which they sell through the mails. They advertised in the New York Times and when the New York Times found out that they were

selling this equipment through the U.S. mails in the city of New York they refused this advertising. I cannot impress upon this committee how vitally important the regulation of the possession and use of this equipment is.

At the present time I am employed by the department of hospitals in the city of New York as a medical photographer. I can assure you that I could submit to this committee photographs that I am required to take for the medical examiner's office of tattoos and obscenities found on the bodies of people that would make your hair stand on end. These tattoos could have only been applied by professional tattoo artists. People with little or no moral responsibility, and this is why they were driven out of business in the city of New York. The fourth provision hereinabove in the purposes of National Pet Registry is a vitally important provision.

I am also enclosing herewith a photograph showing two properly, permanently identified toy poodles registered with National Pet Registry. The tattoo cannot be removed by any other means than plastic surgery, and at that a scar will remain.

I would be happy to work with the committee in developing language to amend the bill to meet this most needed addition to any bill finally drawn.

Thank you for letting me present this testimony, and I hope it will be incorporated in the record.

(The enclosures submitted with the above statement may be found in the files of the committee.)

STATEMENT OF CHRISTABEL STEVENS, NEW YORK, N.Y.

Although I am in favor of Congressman Poage's bill, H.R. 12488, to regulate the transportation, sale, and handling of dogs, cats, and other animals. I hope that the committee will consider whether the provisions of the bill designed to control the theft of pet dogs for research would not also help to curtail the current practice of illegally importing rare wild animals for research, in violation of section 43, title 18, of the United States Code.

Very large numbers of wild animals are now being used for research, primarily, of course, monkeys of various kinds. In recent years, wild animal dealers who had formerly sold only to zoos and circuses have greatly expanded their businesses to cater to the research market, and many new dealers have set up in business exclusively to supply research laboratories. The conditions under which monkeys are imported are frequently very bad: overcrowding of crates and cages, rough handling, and insufficient food and water are some of the problems. However, there are also abuses from the standpoint of the conservation of wildlife.

Dealers have been promoting the use of rare animals for scientific research without any consideration of the effect continued trapping may have on the wild population. In some cases they are contributing to the premature extinction of rare and interesting species of animals. I am particularly interested in the problem of the importation of orangutans into this country for research purposes, in violation of the above-mentioned Federal law which forbids the importation of wild animals captured contrary to the law of the country of origin. I have been looking into this for some time, and have been trying to help Mrs. Barbara Harrisson of the Sarawak Museum, Kuching, Sarawak. Mrs. Harrisson is the author of "Orang-Utan" (New York, Doubleday, 1963), and has organized the Orangutan Recovery Service in a cooperation with the International Union for the Conservation of Nature.

The orangutan (*Pongo pygmaeus*) is a large, red-haired ape living in the jungles of Borneo and Sumatra. Naturalists agree that it is an unusually interesting and intelligent animal of somewhat manlike behavior; orangs move through the jungle together in small social groups, and the mother orang cares for her baby for several years, carrying it with her everywhere. As adult orangs are dangerous to the hunter, and it is virtually impossible to capture one alive, orang hunters have developed the unattractive practice of stalking a mother orang with a baby, shooting the mother, and snatching the baby from her corpse. The baby is then hidden and smuggled out of the country for sale to zoos and research institutions in the West, at prices such as \$3,000. It is estimated that for every baby orang that survives, at least one dies in transit, so that for every orang that reaches Europe or America, at least three others have died or been shot. I take this information from Oryx, the journal of the Fauna Preservation

Society of Great Britain, volume 6, No. 2, volume 7, Nos. 2 and 3, and several other issues.

The orangutan is extremely rare, and is on the International Union for the Conservation of Nature Survival Service Commission list of species which are in immediate danger of extinction. For this reason, orangutans are protected by law in both Malaysia and Indonesia. Wild oranges are now found in the States of Sarawak and Sabah, or North Borneo, and in the Republic of Indonesia. In Sabah, it is unconditionally illegal to capture an orangutan (Colony of North Borneo, No. 11 of 1963, an ordinance to consolidate and amend the law for the protection and conservation of certain species of wild animals).

In Sarawak, it is illegal to capture an orangutan in a wildlife sanctuary, or elsewhere without special license (State of Sarawak, ch. 128, Wild Life Protection). In Indonesia, it is illegal to capture an orangutan without a special permit from the Department of Agriculture (Wild Animal Protection Ordinance of 1931). I have copies of all of these laws, which I would be glad to make available to anyone who is interested.

In view of this foreign legislation, I checked with the Bureau of Customs and the Department of the Interior about the legal position here. I received this opinion from the Chief of the Division of Management and Enforcement of the Fish and Wildlife Service, Mr. Alan Studholme:

"Section 43, title 18, United States Code, prohibits, without exception, any importation of wild animal specimens, whether dead or alive, which were acquired, possessed, transported, or exported from a foreign country contrary to the laws of that country * * *. In answer to your specific question, a scientific institution cannot legally import a wild animal specimen which was captured or exported contrary to the laws of a foreign country; nor can they legally acquire such a specimen from a dealer in this country knowing that the specimen was or must have been imported contrary to the provisions of 18 U.S.C. 43 * * *. Enforcement of 18 U.S.C. 43 is extremely difficult * * *. We must be able to prove to the satisfaction of a court that a particular shipment is, in fact, illegal * * *. Such proof is virtually impossible to obtain without the active assistance of the country involved."

Accordingly to my information, the pattern is for local dealers in Indonesia and Malaysia to buy illegally captured oranges from country people, and to ship them out through Singapore and Bangkok, and then either via Holland or via Hawaii to the large American dealers. As many as four different parties may handle one shipment of oranges: the hunter, the local dealer, an Asian or European intermediary, and the American dealer. (Mr. Charles Shuttleworth, the Singapore representative of OURS, writes: "Walter Ottremsky (cable address Orangutan) is at present trying to smuggle out proboscis monkeys through Charles Horvath, a Polish-American with permanent residence in Singapore. Trefflich is the buyer. These two men are longtime smugglers of oranges. Horvath also traffics in blue films and other filth * * *." Accordingly it is not always easy to establish the original source of an orang reaching this country. Apparently documents are forged for presentation to customs, as it is not feasible to obtain real licenses in the states where this is theoretically possible.

One such example of which I have some personal knowledge is the orangutan which the New York animal dealer Henry Trefflich was trying to sell in the summer of 1964. I happened to see this animal when I went into Trefflich's retail store for another purpose. It was housed, like other animals at Trefflich's, in a makeshift cage, and was being shown as a curiosity. I made inquiries, and found that Trefflich was claiming that the orang had been born in the Tokyo Zoo, and was so a legitimate import. After a great deal of correspondence, I heard through the International Society for the Protection of Animals from the Japan Society for the Prevention of Cruelty to Animals: "I asked the matter to Mr. Juro Hayashi, president of the Tokyo Ueno Zoo. He answered me that the zoo had never exported nor sent any orangutan to other country * * * any young orangutan will never be sent to from Japan. Now that Mr. Trefflich's account is not true, I am sure the animal should be kept in more spacious place and under more suitable conditions * * *." On discussing this with a New York zoologist, I learned that it was known in zoo circles that Trefflich's papers were forged, so that he was having difficulty in making a zoo sale.

The American Association of Zoological Gardens has passed a resolution that members should not buy any further orangutans, in view of the conditions under which they are obtained and imported. I am told that two members have disregarded the resolution; also there are minor zoos which are not members. One of these in New Orleans now has an orangutan, which is reported to be inadequately housed. However, by and large, American zoos have recently been exercising restraint in buying orangs. This does not mean that zoologists are prepared to give any real assistance to other attempts to curtail the traffic in orangutans, if their zoos depend on a cordial relationship with animal dealers to obtain rare and interesting or unique specimens for their collections.

It is not particularly easy to get information on the use of orangs in research. I first became aware that orangs were available on the research market when I saw "Laboratory Animals, A Report of the Institute of Laboratory Animal Resources, National Academy of Sciences—National Research Council, Publication 1094." This is a catalog listing animal dealers and telling what species of animal they supply. Four dealers were advertising orangutans: Asiatic Animal Imports, Inc., of San Francisco, Hartelust, Thorsen & Co., of Belmar, N.J., the Miami Rare Bird Farm, of Kendall, Fla., and the Rider Animal Co., of Warrenton, Va.

The Survival Service Commission of the IUCN had information that Asiatic Animal Imports, and a Mr. Berry of Seattle, were the most important American dealers in orangs.

The Animal Welfare Institute received a confidential report from another source that Mr. Berry was keeping 16 orangs in improvised quarters in the basement of his home.

The "Laboratory Primate Newsletter," published by the Psychology Department of Brown University, Providence, printed a survey in their April 1964 issue (vol. 3, No. 2) which stated that a total of 53 orangs were currently in use in 3 research institutions. This survey was conducted only among subscribers to the "Primate Newsletter."

As of November 1964 the Smithsonian Institution Science Information Exchange had on file research projects involving orangutans from San Diego State College, the California Institute of Technology, and the University of Oklahoma Research Institute.

At the 15th annual meeting of the Animal Care Panel, September 1964, Dr. William Montagna, director of the Oregon Primate Research Center of Beaverton, Oreg., stated that a laboratory which he refused to name had plans to import 200 orangs for research and to form a breeding colony. Even though it would be very difficult to collect 200 orangs at all, this is a frightening prospect. Remembering that for each orang imported, three others have probably been shot or died (a conservative figure in view of reports of large numbers of orangs dying in the hands of foreign dealers) this would mean the removal of perhaps 800 orangs from Borneo and Sumatra. Although there have been several orang censuses with somewhat varying conclusions, I think it would be fair to say that 800 orangs could represent a major portion of the wild population, culled from the young and the breeding females.

There is a colony of 28 orangutans at the Yerkes Regional Primate Research Center at Emory University, Atlanta. This recently established Center is an outgrowth of the well-known Yerkes Laboratories of Orange Park, Fla. It is a part of the Public Health Service regional primate center program; there are seven such centers in various parts of the country, financed by the Public Health Service. The director of the Yerkes Center is Dr. G. Bourne. I have information from the Public Health Service that in October 1962, 11 orangs were purchased for Yerkes from the Rider Animal Co., and in August 1963, 20 from Mr. Berry. Dr. Bourne has expressed an interest in establishing a breeding colony of orangutans. He has apparently been trying to raise money to establish a "sanctuary" for orangs near Kuala Lumpur; however, as the orangutan is already extinct on the Malay mainland, such a "sanctuary" would really be another breeding colony of an artificial kind.

The establishment of a breeding colony of wild primates is I gather a somewhat uncertain endeavor in the present state of scientific knowledge. Some scientists favor this approach, while others hold that it is necessary to replenish breeding colonies with wild animals, because wild animals bred in captivity and

close confinement tend to degenerate, and after a few generations are not satisfactory research material. Also many primates are difficult to breed in captivity. While there have been fairly numerous instances of pairs of wild oranges breeding in zoos, the possibility of establishing a continuing colony is purely theoretical.

I am not aware that the primate research centers have been called upon to justify their need for orangutans for research, or to explain their probably illegal acquisition of these animals.

However, a more effective policing of animal dealers would offer an alternative solution; it is clear that the existing law is in need of either supplementation or a different administrative approach. Perhaps legislation such as H.R. 12488 could supply the needed impetus. I have described the orang situation because I am interested in it, but there is reason to believe that other rare animals may be endangered by unscrupulous dealer promotion. Also, in the course of my investigations I had occasion to visit the premises of two monkey dealers, and found the conditions of care and housing highly inadequate.

CARNEGIE INSTITUTION OF WASHINGTON,
DEPARTMENT OF EMBRYOLOGY,
Baltimore, Md., March 2, 1966.

Representative SAMUEL N. FRIEDEL,
*Rayburn House Office Building,
Washington, D.C.*

DEAR REPRESENTATIVE FRIEDEL: Thank you for sending me copies of the cat and dog dealer bills and the hearing report about them. I have studied the material carefully and have reached some conclusions that seem important enough to call to your attention.

The laudable objectives of the bills are not likely to be achieved by the means proposed. The stated objectives of protecting owners from theft of pets and preventing stolen pets from being sold to laboratories are not matched by the methods declared essential: the regulation of the sale, handling, and transportation of all cats and dogs destined for research. Regulation of sale (5 days waiting between changes of ownership, animal identification, and recording of transactions) may help in recovering stolen pets only if the owner puts in a lot of effort to find out which dealer has his pet. The regulation of handling and transportation may be desirable but are not really essential or even relevant to the stated objectives. There are, in fact, no provisions that can be expected to accomplish the stated objectives, but there could be and should be.

The bills conspicuously fail to provide means for distinguishing a stolen animal from an ownerless one; consequently, they cannot prevent the former and not the latter from being sold to a laboratory. That basic inadequacy of the bills traces back to a flaw in their strategy. By not considering the whole process of supplying cats and dogs to laboratories, the determining step has been missed.

Nothing at all has been specified about the source of cats and dogs for the first dealer in the chain of supply. He can use three main sources:

(1) He can raise his own animals. This source is very expensive, and the public ultimately would bear the cost through its support for research.

(2) He can collect loose animals. This source is cheap and abundant and is much used at present, but it does not encourage distinguishing between stolen, lost, or ownerless animals.

(3) He can obtain animals from a pound. This source can be cheap and abundant, or it can be inaccessible, depending on legislation. It provides the best protection for pets and pet owners, because lost pets are held for a reasonable time near their homes in a facility that is well known and accessible for inquiry. Owners of animals with license tags may even be notified, because pounds are staffed by people with access to information for identifying the owners. Moreover, they are dedicated to the interests of pet owners and animals rather than to profit from the sale of animals. The last consideration makes the pound the most humane collecting agency also for ownerless animals.

Of special relevance to the bills in question, the pound offers a means to discourage pet stealing by making it unprofitable. It works two ways. A dealer's motivation to steal animals would be removed if he could get unclaimed animals from the pound at the cost of collecting them or less. In addition, making unclaimed animals available instead of letting them be uselessly destroyed en masse as at present would increase the total supply of animals and thereby reduce the pressures of demand that have led dealers to the collection of loose animals, some of them pets.

The bills would have the best chance of accomplishing their objectives if they prohibited animal dealers from collecting loose animals and restricted that activity to public or humane society pounds. The pounds, in turn, should be required to make all healthy unclaimed animals available to persons who want them for pets, to research facilities, or to licensed dealers, before they might be destroyed uselessly.

Sincerely yours,

BENT G. BÖVING, M.D.

MARCH 4, 1966.

Senators MILWARD SIMPSON and GALE MCGEE,
Washington, D.C.

The Wyoming Stock Growers Association can see no need for legislation of the type proposed in H.R. 12488, Poage bill. Such restraints are far too all-encompassing and would only tend to complicate research and experimentation by our universities and experiment stations.

Please record our opposition to this legislation during hearings to be held March 7 and 8 in Washington. We are particularly opposed to the wording in lines 5 and 8, page 1 of the bill, "and other animals." Such wording should be stricken from all parts of the bill because it is far too broad and would restrict large animal research projects throughout the Nation.

WYOMING STOCK GROWERS ASSOCIATION,
DEAN T. PROSSER, Jr., *Executive Secretary*.

AMERICAN CANCER SOCIETY, INC.,
New York, N.Y., March 4, 1966.

Hon. W. ROBERT POAGE,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN POAGE: The American Cancer Society has received the news release of your intention to introduce a bill authorizing the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats. The society recognizes the desirability for better control of the marketing, housing, and transportation of these animals which are so important to the conduct of medical research. It is our belief that the intent of the legislation which you are sponsoring is to assure better care and treatment for these animals and to improve the quality of animals received by research institutions.

We note that the news release emphasizes that you do not propose to regulate, to restrict or to interfere with scientific research. The American Cancer Society believes this to be an important consideration in any legislation and would urge that medical research scientists and institutions not be burdened with the extensive recordkeeping unrelated to records necessary for the experimental procedure and the scientific interpretation of experimental data. It is particularly important that scientists have the opportunity of changing the design of an experiment in order to pursue a scientific lead without the requirement of approval for such change in advance.

The vigorous prosecution of cancer research is of vital importance to the 870,000 cancer patients in this country and to the more than 500,000 Americans who develop cancer each year. We earnestly hope that your committee will not recommend and that Congress will not enact any legislation that will impede or handicap this work.

I would appreciate it if you, Mr. Chairman, would make this letter part of the record of the hearing.

Respectfully,

HAROLD S. DIEHL, M.D.

MONTEFIORE HOSPITAL AND MEDICAL CENTER,
Bronx, N.Y., March 5, 1966.

Hon. W. R. POAGE,
*Chairman, Subcommittee on Agriculture, House of Representatives, Wash-
ington, D.C.*

DEAR MR. POAGE: The American Pediatric Society and the Society for Pediatric Research have in its membership the leading teachers of pediatric medicine and scientists who are working directly with problems concerning the health and well-being of children in this country.

As a representative for both of these societies, I am writing to express my concern and interest on proposals for legislation relating to the regulation of supply of laboratory animals.

The success or failure of scientists and clinical investigators to pretest original concepts for surgical procedures, for altering immune processes, testing hypotheses about life processes and for the testing of new drugs, depends upon the availability of laboratory animals. Most of the important advances that have made American pediatrics preeminent in the world with the resultant improvement in care of children, have been directly related to laboratory research in which animals were used. Anything that will significantly interfere with procurement or utilization of animals for research will be reflected in a retardation of health advances for children.

I have read very carefully the bills being proposed to regulate the supply of laboratory animals typified by H.R. 9743 and H.R. 10743. I am convinced that, in spite of good intentions, the bills in their present form will hamper legitimate medical research by imposing unnecessary barriers and opening the door to harassment of investigators by special interest groups who do not subscribe to the concept of benefit from advances in medical science.

I am quite confident that measures can be taken to prevent stealing of pets that will not prove harassing to institutions conducting medical research.

Very truly yours,

LAURENCE FINBERG, M.D.

HENRY FORD HOSPITAL,
Detroit, Mich., March 7, 1966.

Hon. W. R. POAGE,
*Congressman from Texas,
Committee on Agriculture,
House Office Building,
Washington, D.C.*

DEAR CONGRESSMAN POAGE: I am writing to you as a representative of the American Association for Cancer Research, designated by that society as their delegate to the National Society for Medical Research. I am also president of the American Society of Clinical Oncologists. While it is not possible for me to say that the opinions that I voice in this letter have been officially adopted, by either of these groups, I can assure you from my knowledge of the membership, and from many discussions which we have had over the past 4 years in these societies regarding animal-care legislation that my opinion is representative of the total body of men involved in laboratory studies relevant to cancer, as well as to that group of men who spend the greater part of their professional time in the care of patients with advanced cancer, and who have a major interest in laboratory studies which hold the promise of helping them to deal with these very severe problems.

I request that this statement be placed in the written record of the hearings of your committee.

As a person involved in the attempt to master cancer in terms of its causes, and in terms of its treatment, I can certainly assure you that laboratory experimentation is absolutely vital to progress in this field. The great part of this experimentation is carried out utilizing small rodents which are specifically bred in the laboratories doing the work, or by commercial breeders. These small rodent populations must be, insofar as possible, characterized according to their inheritance, and must be raised in clean conditions and on standard dietary regimens in order to make the kind of experiments done with them interpretable. In addition to these animals, further amounts of work is done with dogs particularly in terms of the developments in surgical procedures, transplantation procedures, and the preclinical investigation of the pharmacologic characteristics

of new drugs which on the basis of studies in tissue culture, or in the smaller laboratory rodents appear to hold promise for the treatment of human cancer. The only alternative to doing laboratory experiments of this kind is on dogs, and to some degree on cats, on monkeys, and occasionally on swine and other large animals, is direct testing and trial of these procedures without earlier investigation of animal systems on cancer patients. Such a practice would clearly be unethical as is recognized so strongly in the FDA regulations under which the development of new drugs must be carried out. If these restrictions should apply where drugs are concerned, certainly they should apply with respect to new developments in surgery, transplantation surgery, radiation therapy where hazards are even more severe than they ordinarily are in the trial of a new drug which has been tolerated in some lower species.

As the owner of an English pointer, and a German shepherd, both of which I have great affection for, I am as anxious as anyone else to see to it that illegitimate traffic in the supply of stolen animals to biomedical laboratories should be brought to a halt. Likewise, as a person who has spent time and has been involved for a long time in working essentially at the alleviation of suffering, and as one who lives from day to day with persons afflicted with painful and incurable disease, I think I can also honestly assure you that whatever observations we make are made with a degree of compassion toward our animal subjects which causes us to so carry on our work, and to keep to an absolute minimum the distress which these beasts must suffer.

While all rational humanism cries out for the advancement of knowledge and skills which can alleviate human suffering due to disease, it also seems clear that owners of pets should also have protection against their being stolen away and sold for any reason whatsoever. It is not only the stealing for sale as laboratory animals with which we must be concerned, but also this stealing for sale for ordinary purposes. We all know how risky it is to let a good hunting dog roam unattended in the fields in the period prior to hunting season.

It seems that some system for tattooing animals in such a way as to make their identity unmistakable, and the requirement that all sellers of animals as pets, keep a registry of the pets they sell, could do a great deal to discourage the illegitimate traffic in stolen pets for a variety of purposes, including laboratory experimentation, and would accomplish a real improvement.

On the other hand, to keep a registry in every laboratory of all the many millions of rodents numbering in the order of 50 or 60 million which are used each year in this country for animal laboratory work, would place a great burden of expense and difficulty on the workers in these laboratories. The Federal Government, through its programs in agricultural research, in the Atomic Energy Commission, in the military fields, as well as in the general medical research programs which are maintained through the Public Health Service, without which we would have to add a considerable sum to the support required for the work which it sponsors in these laboratories. Nothing of value to owners of pets, to the community at large, to the public health, or to the prevention of inhumane treatment of animals would be accomplished by such regulations.

Purveyors of animals, and not the laboratory users of these animals, or the ordinary purchasers of them for keeping as pets or working animals, could be required to keep a registered adequately establishing the identity of all animals passing through their hands. Licensing of these purveyors would also assure that humane conditions for treatment of the animals in the purveyor's facilities existed, and furthermore, suitable regulations regarding transportation of dogs and cats would be developed.

It is probably wise to consider that the men who have chosen to devote their lives to biomedical research, are as a group probably more strongly motivated toward mercy and compassion, and the prevention of suffering than any other group in the society. It is unlikely that any regulatory corps or office which the Government could establish would be able to recruit persons with higher ideals in this regard than those whom they might be asked to regulate. I have been working in biomedical research for 15 years, and am familiar with laboratory facilities throughout this country, those in the pharmaceutical industry, as well as in academic and research institutions. I have never in all of this time observed deliberate cruelty in animal experimentation, nor have I observed indifference or carelessness attributing to the suffering of animals kept for experimental purposes. I have seen that housing facilities for animals in many instances were less than optimum. However, it is true that the housing facilities for patients

in hospitals, for the elderly in many nursing homes, for the sick-poor in particular, and for prisoners in our jails are far more scandalous than those I have observed in animal laboratories. It is strange indeed that we find so many across the Nation so vigorously interested in the humanization of animal care side by side with the utter disregard for neglect that cries to heaven in the care of patients in mental institutions, in penal institutions, and in many of the public hospital facilities of our great cities.

A right priority of attention and expenditure would see to it that mentally deficient children, orphans, those detained in prison, and the sick-poor have their needs fulfilled before large sums are extended for the perfection of animal care facilities in laboratory environs. Those of us who use animals in the laboratory try our best to provide these animals with optimal housing; however, whether this housing is or is not optimal, it is always sufficient since it hardly is possible to do meaningful work on animals exposed to severe environmental stress, or to inadequate nutrition, and to infectious diseases. Even if we had no interest from the standpoint of compassion in the care of our animals, simple practical consideration with respect to experimental methods demands a certain minimal level of attention to housing, comfort, and nutrition of animals under study.

Many of us hope, therefore, that you will proceed to introduce a bill aimed at preventing those abuses of practice on the part of animals suppliers which make the sale of stolen pets profitable, and feasible. However, we hope also that in doing so, you will not add new burdens of expense in bookkeeping to those already inundating laboratory people, and that you will differentiate with respect to the kinds of animals on which records must be kept so as not to increase the work of these laboratories by needlessly accumulating massive amounts of unmanageable data on the laboratory rodents ordinarily used, and in such vast numbers used throughout the country.

Very sincerely yours,

MICHAEL J. BRENNAN, M.D., F.A.C.P.

THE TAIL-WAGGERS' CLUB, INC.,
Washington, D.C., March 7, 1966.

My name is Phyllis Wright. I am a director of the Tail-Waggers' Club and have been requested by the executive committee to make the following statement at this hearing.

The Tail-Waggers' nonprofit animal clinic has been in existence for 29 years. In 1965 we treated more than 9,000 animals. It is the only nonprofit animal clinic in the Nation's Capital.

Our concern for the medical treatment and health of animals creates a moral obligation for us to endorse legislation requiring inspection and regulation of the care of animals held by dealers and that the same standards be required for animals in research laboratories.

We want to make it impossible for conditions to exist such as were found on the animal dealer's farm pictured in a recent issue of *Life* magazine.

We support passage of H.R. 12488, introduced by Congressman Poage.

I have visited all the medical laboratories of the District of Columbia area as recently as May 1965. I found the following distressing circumstances in existence.

Dogs that had been operated on were left in their cages while the cages were being hosed. They were saturated with water and waste products from the cages above them. When I asked to see the doctor who was in charge of surgery I was told he was on vacation. Records were not on the cages of many of the dogs. I reported these conditions to Dr. Walter Hess, who is now dean of Georgetown University, I was told that animals received the same care as the human patients in the hospital.

I found in laboratories a number of purebred dogs, including airedales, boxers, German shepherds and weimaraners, breeds which on the open market sell in excess of \$100. Laboratories pay, on the average, \$7 to \$25 for their research dogs. This does raise the question of how these valuable dogs were obtained by the dealer.

So I am only too aware from personal experience how necessary is the passage of H.R. 12488.

Respectfully submitted.

PHYLLIS WRIGHT.

WESTERN RESERVE UNIVERSITY,
SCHOOL OF MEDICINE,
Cleveland, Ohio, March 7, 1966.

SECRETARY OF HOUSE COMMITTEE ON AGRICULTURE,
House of Representatives, Washington, D.C.

DEAR SIR: I would appreciate your placing this statement in the record of the hearings on the Poage bill, H.R. 12488, and similar legislation.

I am a veterinarian occupied as director of animal facilities, School of Medicine, Western Reserve University, Cleveland, Ohio. I am responsible for the procurement and maintenance of animals used for experimental purposes.

Animal experimentation is conducted to advance the knowledge of life processes, to evaluate the effects of various influences in these processes, to apply the information gained from those studies to the promotion of health and the prolongation of life, and to train those who will implement the information.

Many communities destroy stray dogs and cats rather than yielding them to medical research laboratories. Faced with this anomalous situation, these institutions are compelled to patronize animal dealers who obtain animals in localities where laws do not prohibit this activity. Dog and cat dealers, then, play a vital role in medical research, a role created by those whose clamor has forced pounds to refuse the requests of laboratories.

The vast majority of animal dealers is scrupulously honest. The pet-owning public has a right, nevertheless, to be protected against the few who operate on the fringe. I, therefore, support the intent of the Poage bill, H.R. 12488, and other similar legislation. I believe, however, that unless modified, this legislation would seriously restrict the already limited supplies of experimental animals and impede vital experimental programs.

I support legislation which would strengthen laws already in existence prohibiting the interstate shipment of stolen animals. I feel that this protection should be extended to all dogs and cats, not only those intended for research. A moderate license fee paid by dealers would add assurance that their operations are legitimate. In my opinion, the extension of this license fee to laboratories would result in the regulation of research and is undesirable.

The stipulation that dogs and cats be procured from licensed dealers only would result in the loss of what is still our best source of dogs and cats, the pound, the creation of more dealerships and the needless destruction of thousands of dogs and cats that are urgently needed for medical research.

I would welcome a congressional resolution urging communities to cooperate with research and teaching institutions by making their stray animals available, and in passing laws which would insure that no pet was used for experimental purposes.

My statement reflects the views of the School of Medicine of Western Reserve University, the Cleveland Academy of Veterinary Medicine, and the Cleveland Interprofessional Committee on Animal Research.

Very truly yours,

AARON M. LEASH, D.V.M.,
Director, Animal Facilities.

SAN FRANCISCO, CALIF., March 8, 1966.

HOUSE COMMITTEE ON AGRICULTURE,
Longworth Building, Washington, D.C.

In behalf of the Committee on Health and Research of Northern California, I wish to present for the record our opposition to the Resnick (H.R. 9743) and Resnick-like bills. We fail to see how the regulation of "the transportation, sale, and handling of dogs and cats * * *". "As proposed would benefit owners of pets, animal dealers, or research laboratories. Medical education and biomedical research would be hampered needlessly without compensating benefits and such regulation, therefore, could not be in the public interest. Regret that short notice of hearings makes it impossible for us to have representatives in attendance to explain our position in greater detail.

DONALD C. BRODIE,
Chairman, Committee on Health and Research,
of Northern California.

ASHBURN, VA., March 9, 1966.

HOUSE AGRICULTURAL COMMITTEE,
 Longworth House Office Building,
 Washington, D.C.
 (Attention Mr. West).

DEAR MR. WEST: I have prepared the attached statement for the record as suggested in our telephone conversation of a few days ago. Although H.R. 12488 may not cover this particular circumstance, there is an animal exploitation factor here brought about as a direct result of current research methods. It is not known to what further extent this condition exists, however, it is quite obvious that if preventive legal measures are not imminently forthcoming, what may be a trend at this time could develop into a national disgrace.

Sincerely,

Mrs. MIGNON J. ADAMS.

P.S.—Before concluding your efforts on behalf of H.R. 12488, it might prove interesting to discover what that part of the medical profession which maintains animals are indiscriminately expendable for organic research knows about the research which I understand is being conducted on extrasensory perception in animals at Duke and other universities.

The following statement is true and accurate to the best of my knowledge. The information has been gathered from personal daily observation, from observers in the immediate community and directly from one of the individuals engaged in the operation. This individual gave the information freely, without consideration that the operation might be a wrongdoing, since it apparently is not illegal—yet.

"A dealer engaged in the buying and selling of horses and who operates a live-stock market and horse auction, purchases horses, breeds them, and then sells them for slaughter. This dealer operates several trucks for hauling, at least one of them, a closed refrigeration tractor-trailer type which has been marked 'U.S. Mail.' A complaint subsequently brought action from the U.S. postal inspector and the 'U.S. Mail' sign was removed but it is still being used to transport horses. In relation to the hauling, the informative individual referred to in paragraph 1 above volunteered the following: 'Some ladies had the police try to stop me to find out how many horses I was hauling, but they said they couldn't do anything about it if I wasn't over my weight load. I didn't tell them I had 22 horses loaded on. Haw, haw.' These same trucks travel as much as 4,000 miles per week transporting horses from sale to sale."

An opportunity for casual inquiry to the same operator in regard to the bleeding of the animals revealed the following:

"Question. Why do you bleed the horses?"

"Answer. We get \$25 per gallon for the blood and we take 3 gallons from each horse.

"Question. Isn't that a lot to take from one horse?"

"Answer. Well, it's pretty bad if you leave them around very long. If you cart them off to slaughter it isn't so bad.

"Question. Where do you get the horses?"

"Answer. Oh, we have contracts with the racetracks.

"Question. Who pays you for the blood?"

"Answer. The Government.

"Question. What do you mean, the Government?"

"Answer. Oh, I don't know. All I know is that a truck comes up from Richmond and picks up the blood. They use it for research."

This is a ghoulish operation which has the entire community sick at heart. According to observers on nearby property it usually takes place at night or on Sunday. The horses once bled are turned staggering out into a pasture where there has never been seen any water or feed of any kind. The pasture itself is well used and barren.

Could anyone in their right mind believe or convince themselves that this is in the interest of science? When will man learn that history has proved over and over again that greed, exploitation, and cruelty are the downfall of any nation? These are the cancers that must be cut out along with those on the hospital operating tables. If the amount of blood acceptable to the research

laboratories at a given time were limited and only a small amount of money paid, a legitimate and acceptable operation might follow similar to that of the Red Cross procedures, instead of this gross slaughter of good horses, including thoroughbreds. Greed drives men to commit these atrocities which not only destroy them but their community and nation as well. H.R. 12488 is a step forward. Further legislation to eradicate the condition described above is imperative.

WESTERN RESERVE UNIVERSITY,
SCHOOL OF DENTISTRY,
Cleveland, Ohio, March 10, 1966.

SECRETARY OF HOUSE COMMITTEE ON AGRICULTURE,
House of Representatives, Washington, D.C.

DEAR SIR: We are greatly disturbed that certain bills proposed by Members of Congress would impair the progress of medical research by restricting the availability and use of laboratory animals. We agree wholeheartedly that legal measures should be enacted to prevent the theft of pets, but we do not believe that such measures should interfere with medical research.

We support the legislation proposed by the National Society for Medical Research (H.R. 9743) and would favor the Poage bill (H.R. 12488) if certain revisions were made. Specific reference to research investigators should be stricken from the bill for it is unfair to suggest that research investigators are the prime agents responsible for mishandling animals. Inclusion of commercial carriers as dealers is not acceptable because it would make transport and acquisition of animals almost impossible. We do not believe it is necessary for research investigators to keep records of animal purchases and disposition since this would put an undue burden on the investigator and would take valuable time that otherwise would be available for research. Federal legislation should not restrict the acquisition of animals from local pounds for this is the primary source of such animals.

In conclusion we believe that no legislation should be passed which would hinder the progress of medical research. Any bill that would restrict the availability and use of animals would restrict medical research.

We request that a copy of this letter be placed in the records of the hearing.
Sincerely yours,

PAUL E. BOYLE, D.M.D., *Dean*

AMERICAN ASSOCIATION OF COLLEGES OF PHARMACY,
March 11, 1966.

HON. WILLIAM R. POAGE,
Chairman, Subcommittee on Livestock and Feed Grains,
Committee on Agriculture,
House of Representatives,
Washington, D.C.

DEAR MR. POAGE: H.R. 12488 is designed to regulate the transportation, sale, and handling of dogs, cats, and other animals intended to be used for purposes of research or experimentation, and for other purposes. While similar or identical bills were included in the hearings held March 7 and 8, the following expression of the executive committee of the American Association of Colleges of Pharmacy pertains to H.R. 12488.

The American Association of Colleges of Pharmacy has as members 73 schools of pharmacy in the continental United States and 1 in Puerto Rico. The association has as its objective the promotion of pharmaceutical education and research.

Many of our members are heavily involved in research; expenditures currently amount to more than \$5 million annually. A considerable portion of the research is in the discipline of pharmacology which deals with the actions of drugs on living things, including dogs and cats as well as "other animals." For this reason our association has a continuing interest in legislation such as H.R. 12488 which will affect the research programs of our schools, research programs which have the objectives of adding to the vast fund of basic scientific knowledge and also, through applied research, to aid in providing new and improved medicaments for use by the public.

First, I wish to state that the executive committee of the association agrees that if the theft of household pets, i.e., dogs and cats, warrants Federal legisla-

tion, they would approve the objectives of H.R. 12488. However, it is respectfully requested that the adequacy of State legislation to cope with the problem be determined before Federal legislation is seriously considered.

With regard to the provisions of H.R. 12488, it is recommended that the following modifications be carefully considered:

1. That the legislation be confined only to dogs and cats and that "other animals" be eliminated from the legislation.

The inclusion of the many other vertebrate animals used in research is deemed unnecessary in view of the basic objectives of the bill. In fact, it would be most difficult, if not impossible, to comply with the provisions of the legislation as it relates, for example, to mice, rats, frogs, and turtles, which are used in large numbers in research.

2. That the licensing of research facilities be eliminated. Again, in view of the basic purpose of the legislation, it is believed that the objective can be achieved by the licensing of the dealers of household pets. If the sale, handling, and transportation of the animals are controlled through licensed dealers, whose procedures and facilities are routinely inspected by Federal inspectors, then animals in good health will be available to research personnel. In repetition, the licensing of research facilities is considered unnecessary in the elimination of the theft of the pets. Too, this portion of the bill implies that research facilities are in consort with those who may violate the laws through the theft of pets.

3. The legislation should be so worded as to regulate all interstate commerce of dogs and cats, not merely that to research facilities. This seems highly desirable and again, if the licensing of research facilities is eliminated, as recommended above, it would remove the implication that research laboratories are somehow associated with the theft of household pets.

4. Lastly, we are confident that it is not the intent of the legislation to increase unnecessarily the already heavy administrative burden of the laboratories responsible for the conduct of research. To do so would not only impede the essential work of the researchers but, in addition, would increase the cost of the program. Therefore, it is strongly recommended that no recordkeeping of animals be required of the research laboratories. As stated in item 2 above, the licensing and control of the dealers is deemed sufficient to achieve the intent of the legislation.

5. As you know another committee of the House of Representatives is giving attention to legislation concerned with standards for animal facilities and the use of animals in research. In view of this, it is recommended that authority for establishing such standards not be incorporated in H.R. 12488.

The opportunity to submit this statement is appreciated, and it is respectfully requested that it be included in the record of the hearings held March 7 and 8.

Sincerely yours,

JOSEPH B. SPROWLS,
Chairman, Executive Committee.

LONG ISLAND HUMANE & DOG PROTECTIVE ASSOCIATION, INC.,
Freeport, N.Y., March 16, 1966.

Congressman H. TENZER,
*House Office Building,
Washington, D.C.*

DEAR SIR: Our society is concerned with the regulations proposed in bills which are designed to improve and protect the living conditions of all dogs and cats which are destined for laboratory research and experimentation. The bill requires that all dealers be properly licensed and that there be regular and frequent inspection of their facilities. The standards of the facilities must be of a high order, to meet the specifications of the Secretary of Agriculture in all areas of adequate food and water supply, ventilation, heat, light, and space for the animals. Federally supervised licensing of dealers of animals will control the method of acquisition and therefore will put an end to criminal acquisition of household pets—at least an item of private property, and usually much more valued in our social structure.

The licensing of the dealer, the auctioneer, and the transporter of the animals will elevate the conditions from the despicable treatment now accorded the animals. This would seem to the dealer's advantage, since he may command a higher price for an animal which is well fed and healthy. It would evidently

be advantageous to the laboratory to have a healthy animal for study rather than half-starved or dead on arrival. Our organization has researched the available material and has found that the laboratories claim it economically unfeasible to raise their own animals. Therefore they are dependent on the trade and traffic of commercial dealers and it must be made mandatory that the dealers conform to certain standards of legality and treatment.

Needed legislation must guarantee controlled sale and traffic as well as a healthful and humane set of living conditions for the purchased dogs and cats. While boarded or during transit, the animal must remain under the consideration of the Federal Government. Our society respectfully requests major reform of prescribed standards of ownership, trade, and well-being—the establishment of proper legal controls.

The bills of sale must be required of all dealers, both at point of purchase and in transfers from a given depot to the next destination in transit to the laboratory. Bills of sale facilitate the tracing of a given animal, if there is suspicion that it was acquired in an illegal manner. It will further separate the licensed salesman from those who are illegal and unscrupulous fringe operators. The bills of sale must be required to be held for examination and thus provide a method of checking the animal's condition, to be sure that it is maintained or even improved from initial acquisition to laboratory.

Any effective bill must recommend wider public knowledge of the commercial venture of sale and transportation of dogs and cats. The public, through the Federal Government, wants to oversee this operation.

We therefore request that the above be included in the hearings records.

Thank you for your cooperation.

Very truly yours,

Mrs. MARTHA BURNS, *Secretary.*

AMERICAN HOSPITAL ASSOCIATION,
Washington, D.C., March 17, 1966.

Hon. W. R. POAGE,

Chairman, Subcommittee on Livestock and Feed Grains, Committee on Agriculture, House Office Building, Washington, D.C.

DEAR CONGRESSMAN POAGE: I should like to present for your consideration the views of the American Hospital Association on H.R. 12488 now before your committee. This bill would authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and other animals intended to be used for purposes of research or experimentation and for other purposes. It would accomplish these purposes mainly through the licensure of dealers and laboratories and through certain other concurrent requirements.

The American Hospital Association, representing most of the more than 7,000 hospitals in the United States, is properly concerned with any proposed legislation which would affect the research, diagnostic, and patient care capabilities of its member institutions.

H.R. 12488, in welcome contrast to many other animal care bills previously considered by committees of Congress, does not directly compromise the research and diagnostic capabilities of hospitals and research laboratories. Rather, it is concerned primarily with methods of acquisition and sale of research animals by dealers to these institutions. Clearly the principal purpose of the bill is to prevent the theft and sale of household pets—namely, cats and dogs—for research purposes. For these reasons, therefore, the American Hospital Association is fully in accord with the main objectives of the bill.

The association does feel, however, that the bill in some areas goes far beyond that which is necessary to accomplish its main purpose and, in fact, imposes conditions with which it would be impossible to comply. It is these and other undesirable requirements of the bill to which these statements are directed.

The inclusion of "other animals" in the scope of the bill would bring under its control an infinite variety of animals and especially the millions upon millions of mice, rats, rabbits, guinea pigs, and hamsters used annually in this country for research and diagnostic purposes. It would be clearly impossible, as well as unnecessary, to individually identify each of these animals as would be required by the bill. We suggest, therefore, that inclusion of animals other than dogs and cats be deleted from the bill.

The second objection raised by the association relates to the requirement that consumer institutions be licensed by the Department of Agriculture. It is

felt that this is both unnecessary and undesirable. In the first place, it is in the self-interest of every laboratory to give the best possible care to its animals. Otherwise, their value for research and diagnostic purposes is impaired. Also, there is now in operation the American Association for Accreditation of Animal Laboratory Care sponsored by several major organizations concerned with animal housing and care in the scientific community. In many respects the work of this organization is comparable to that of the Joint Commission on Accreditation of Hospitals which sets standards for the care and safety of patients in hospitals. Likewise, the American Association for Accreditation of Animal Laboratory Care sets standards for animal care in laboratories and inspects and accredits laboratories in relation to these standards. Further, it is understood that the Department of Health, Education, and Welfare will sponsor a bill which will make accreditation of laboratories a prerequisite for research grants from agencies of HEW. The addition of still another inspection agency seems both unnecessary and harmful in that it may lead to duplication of effort, conflicting regulations, and consequent confusion. For these reasons, therefore, the association suggests the deletion of the requirement that laboratories be licensed. We would not, however, object to a requirement that the animal purchase records of laboratories be available for inspection by the Government as a further safeguard against the illegal or inadvertent acquisition of household pets.

It should be noted that some institutions breed some of their own animals for research purposes. Their position under the bill is not clear. The bill should specifically provide that, where an institution raises animals exclusively for its own use and not for sale, it does not thereby become a "dealer" under the definition as stated in the bill.

With the exception of the objections raised above, the American Hospital Association is in agreement with the purpose of this bill and requests that this statement be made a part of the record of the hearings held by your subcommittee.

Sincerely,

KENNETH WILLIAMSON,
Associate Director.

REQUIEM TO A DOG

Since you are gone, there is an emptiness, a void in our hearts.

It was a gray day last November, when you left the house to look for us next door at the gas station. You did not wear a collar, because it made you feel uncomfortable, as you were rather fat and not so young anymore. Also, because you never had any desire to venture away from our home.

When we returned (in less than an hour) we looked for you everywhere, combing the streets, calling your name but—to no avail. The gas station attendant saw you, also the people at the laundry next door—but they chased you away, not knowing that you were their neighbor. To our newspaper and radio advertisements no answer came.

Weeks later, as I was still looking for you, a little neighbor boy informed me that he saw you being picked up by a man with a big truck and that the truck was full of dogs—many dogs. He told me that the man grabbed you by the neck and threw you in the wagon.

You were always such a trusting soul; you looked up to humans as if they were gods. I can imagine the hurt, the pain, when you realized that human beings can be "the cruelty" to animals.

What feelings you must have had in that wagon that was transporting you, with all the other unfortunate dogs and cats, to the animal farm, where they dumped you in a small pen with the others, where you had to await your destiny on the cold, wet, cement floor—without food or water.

Just last week the newspapers brought an article of such a farm in Pennsylvania. It was a full page, with photos of sick and starving dogs and cats. They were eating the carcass of a cellmate that had died of disease and hunger.

The operator of this farm was selling the animals for research—at \$3 per pound. If you survived the farm and he sold you, he got \$60 for your little body of 20 pounds. This man (creature) cheated himself because I would have paid him anything to get you back.

This creature cheated himself out of God's greatest present, compassion. He cheated himself out of a soul.

No, you were not an exceptional dog; you did not do tricks; you were nothing to look at, but you had the biggest and most faithful heart, you were our little dog and we shall never forget you.

It is 3 months since you left, but every morning each of us looks out of the window, hoping, praying that you escaped and found your way back home. I guess our hopes and search will lessen as the months go by—but our sorrow never.

The man (the creature) who took you, will be dealt with by God. Cruelty and violence are Siamese twins. They draw life from a common source—decay. Decay of the soul.

I wish him and the likes of him the same suffering—through eternity—that he caused you and the other unfortunate animals.

I know that God shall hear my prayer.

ILONA MASSEY.



